

**FEDERAL REGISTER**  
 VOLUME 15      1934      NUMBER 173

Washington, Thursday, September 7, 1950

## TITLE 5—ADMINISTRATIVE PERSONNEL

### Chapter III—Foreign and Territorial Compensation

Subchapter B—The Secretary of State  
 [Departmental Reg. 108.113]

### PART 325—ADDITIONAL COMPENSATION IN FOREIGN AREAS

#### DESIGNATION OF DIFFERENTIAL POSTS

Section 325.11 *Designation of differential posts*, is amended as follows, effective on the dates indicated:

1. Effective as of the beginning of the first pay period following September 2, 1950, paragraph (a) is amended by the addition of the following posts:

Surabaya, Indonesia.

Tubabao Island, (Guian), Philippines.

2. Effective as of the beginning of the first pay period following September 2, 1950, paragraph (c) is amended by the addition of the following post:

Isfahan, Iran.

3. Effective as of the beginning of the first pay period following September 2, 1950, paragraph (b) is amended by the deletion of the following post:

Surabaya, Indonesia.

4. Effective as of the beginning of the first pay period following September 2, 1950, paragraph (d) is amended by the deletion of the following post:

Berlin, Germany.

(Sec. 102, Part I, E. O. 10,000, Sept. 16, 1948, 13 F. R. 5453; 3 CFR, 1948 Supp.)

For the Secretary of State.

CARLISLE H. HUMELSON,  
*Deputy Under Secretary.*

AUGUST 28, 1950.

[F. R. Doc. 50-7849; Filed, Sept. 6, 1950;  
 8:46 a. m.]

## TITLE 6—AGRICULTURAL CREDIT

### Chapter III—Farmers Home Administration, Department of Agriculture

#### Subchapter B—Farm Ownership Loans

#### PART 311—BASIC REGULATIONS

#### SUBPART B—LOAN LIMITATIONS

#### AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS: COLORADO

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units and investment limits for the counties identified below are determined to be as herein set forth. The average values and investment limits heretofore established for said counties, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations (13 F. R. 9381), are hereby superseded by the average values and investment limits set forth below for said counties.

#### COLORADO

County	Average value	Investment limit
Cheyenne	\$18,000	\$12,000
Costilla	18,000	12,000
Crowley	18,000	12,000
Douglas	18,000	12,000
Elbert	18,000	12,000
El Paso	18,000	12,000
Huerfano	18,000	12,000
Kiowa	18,000	12,000
Larimer	18,000	12,000
Mesa	18,000	12,000
Otero	18,000	12,000
Phillips	18,000	12,000
Pueblo	18,000	12,000
Rio Grande	18,000	12,000
Saguache	18,000	12,000
Teller	18,000	12,000

(Sec. 41, 60 Stat. 1066; 7 U. S. C. 1015, Interprets or applies secs. 3, 44, 60 Stat. 1074, 1069; 7 U. S. C. 1003, 1018)

Issued this 1st day of September 1950.

[SEAL]      C. J. MCCORMICK,  
*Acting Secretary of Agriculture.*

[F. R. Doc. 50-7850; Filed, Sept. 6, 1950;  
 8:52 a. m.]

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**PART 311—BASIC REGULATIONS****SUBPART B—LOAN LIMITATIONS****AVERAGE VALUES OF FARMS AND INVESTMENT LIMITS; MONTANA**

For the purposes of title I of the Bankhead-Jones Farm Tenant Act, as amended, the average value of efficient family-type farm-management units and the investment limit for the county identified below are determined to be as herein set forth. The average value and the investment limit heretofore established for said county, which appear in the tabulations of average values and investment limits under § 311.30, Chapter III, Title 6 of the Code of Federal Regulations (13 F. R. 9381), are hereby superseded by the average value and the investment limit set forth below for said county.

**MONTANA**

County	Average value	Investment limit
Garfield	\$16,000	\$12,000

(Sec. 41, 60 Stat. 1066; 7 U. S. C. Interprets or applies secs. 3, 44, 60 Stat. 1074, 1069; 7 U. S. C., 1003, 1018)

Issued this 1st day of September 1950.

[SEAL]                   C. J. MCCORMICK,  
                                 Acting Secretary of Agriculture.

[F. R. Doc. 50-7851; Filed, Sept. 6, 1950;  
8:52 a. m.]

**TITLE 24—HOUSING AND HOUSING CREDIT****Chapter II—Federal Housing Administration, Housing and Home Finance Agency****Subchapter B—Property Improvement Loans****PART 203—TITLE I MORTGAGE INSURANCE;****ELIGIBILITY REQUIREMENTS****PROPOSED CONSTRUCTION**

Section 203.4 (b) is hereby amended to read as follows:

(b) *Proposed construction.* Applications filed for a firm or a conditional commitment with respect to proposed construction must be accompanied by the mortgagee's check for the sum of \$45 to cover the cost of processing by the Commissioner. If an application is refused as a result of preliminary examination by the Commissioner, the entire fee will be returned to the applicant, but no portion of the fee will be returned after further work has been performed following the preliminary examination unless (1) the application is rejected by the Commissioner, or (2) the Commissioner exercises the right of cancellation reserved in the commitment for insurance issued pursuant to any such application, or (3) the mortgage which is the subject of the application is endorsed for insurance by the Commissioner; in any of which cases \$20 will be retained by the Commissioner and the balance of such fee will be returned to the applicant.

(Sec. 2, 48 Stat. 1246, as amended; 12 U. S. C. and Sup. 1730g. Interprets or applies sec. 102, Pub. Law 475, 81st Cong.)

Issued at Washington, D. C., August 31, 1950.

WALTER L. GREENE,  
Acting Federal Housing  
Commissioner.

[F. R. Doc. 50-7810; Filed, Sept. 6, 1950;  
8:46 a. m.]

insurance by the Commissioner; in any of which cases \$20 will be retained by the Commissioner and the balance of such fee will be returned to the applicant.

If the application is made on behalf of a veteran of World War II, for the insurance of a mortgage to refinance an existing insured mortgage which is in default, by reason of his military service, the fee herein provided may be waived by the Commissioner if he finds that the collection of such fee would be inequitable under the particular circumstances of the transaction.

(Sec. 211, as added by sec. 3, 52 Stat. 23; 12 U. S. C. 1715b)

Issued at Washington, D. C., August 31, 1950.

WALTER L. GREENE,  
Acting Federal Housing  
Commissioner.

[F. R. Doc. 50-7811; Filed, Sept. 6, 1950;  
8:46 a. m.]

**Subchapter E—Farm Mortgage Insurance****PART 251—FARM MORTGAGE INSURANCE;****ELIGIBILITY REQUIREMENTS****FEES TO ACCOMPANY APPLICATION; RATE OF INTEREST**

1. Section 251.13 (b) is hereby amended to read as follows:

(b) Applications filed on or after May 15, 1950, for a firm or a conditional commitment with respect to proposed construction must be accompanied by the mortgagee's check for the sum of \$45 to cover the cost of processing by the Commissioner. If an application is refused as a result of preliminary examination by the Commissioner, the entire fee will be returned to the applicant, but no portion of the fee will be returned after further work has been performed following the preliminary examination unless (1) the application is rejected by the Commissioner, or (2) the Commissioner exercises the right of cancellation reserved in the commitment for insurance issued pursuant to any such application, or (3) the mortgage which is the subject of the application is endorsed for insurance by the Commissioner; in any of which cases \$20 will be retained by the Commissioner and the balance of such fee will be returned to the applicant.

If the application is made on behalf of a veteran of World War II, for the insurance of a mortgage to refinance an existing insured mortgage which is in default, by reason of his military service, the fee herein provided may be waived by the Commissioner if he finds that the collection of such fee would be inequitable under the particular circumstances of the transaction.

2. Section 251.18 is hereby amended to read as follows:

§ 251.18 *Rate of interest.* The mortgage may bear interest at such rate as may be agreed upon by the mortgagee and mortgagor, but in no case shall such interest rate be in excess of 4½ percent per annum as to applications for insurance received by the Commissioner on or before April 21, 1950, nor in excess of

## RULES AND REGULATIONS

4 1/4 percent per annum as to applications for insurance received by the Commissioner on or after April 24, 1950. Interest shall be payable in annual, semi-annual, or monthly installments on the principal then outstanding.

(Sec. 211, as added by sec. 3, 52 Stat. 23; 12 U. S. C. 1715b. Interprets or applies sec. 203, 48 Stat. 1248, as amended; 12 U. S. C. 1709)

Issued at Washington, D. C., August 31, 1950.

[SEAL] WALTER L. GREENE,  
Acting Federal Housing  
Commissioner.

[F. R. Doc. 50-7809; Filed, Sept. 6, 1950;  
8:46 a. m.]

### Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 277]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 274]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CALIFORNIA, INDIANA, OHIO, AND PENNSYLVANIA

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are amended in the following respects:

1. Schedule A, Item 36, is amended to read as follows:

(36) [Revoked and decontrolled.]

This decontrols (1) the City of Redlands in San Bernardino County, California, a portion of the San Bernardino, California, Defense-Rental Area, and all unincorporated localities in said Defense-Rental Area, based on a resolution submitted with respect to said City of Redlands in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, said City of Redlands being the major portion of said Defense-Rental Area, and (2) the remainder of said Defense-Rental Area on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

2. Schedule A, Item 38, is amended to describe the counties in the Defense-Rental Area as follows:

San Francisco County; San Mateo County, except the City of Menlo Park; Marin County, except the City of Belvedere and the Judicial Townships of Bolinas, Nicasio, Point Reyes, San Antonio and Tomales; and Sonoma County, except (i) the Judicial Townships of Redwood and Sonoma (including the City of Sonoma) and (ii) that portion of Analy Judicial Township lying west of the Monte Rio-Valley Ford Highway and line between Redwood Judicial Township on the north and the northern line of Marin County on the south.

This decontrols the City of Menlo Park in San Mateo County, California, a portion of the San Francisco Bay, California, Defense-Rental Area.

3. Schedule A, Item 41, is amended to describe the counties in the Defense-Rental Area as follows:

Kings County; and Tulare County, except the Cities of Porterville and Woodlake.

This decontrols the City of Porterville in Tulare County, California, a portion of the Tulare-Kings, California, Defense-Rental Area.

4. Schedule A, Item 106, is amended to describe the counties in the Defense-Rental Area as follows:

Delaware County, except the Towns of Albany, Gaston, Selma, and Yorktown; in Howard County, Center Township; and in Madison County, Lafayette Township, and Anderson Township except the Town of Edgewood.

This decontrols the Town of Edgewood in Madison County, Indiana, a portion of the Anderson, Indiana, Defense-Rental Area.

5. Schedule A, Item 240, is amended to describe the counties in the Defense-Rental Area as follows:

Lucas County, except the Village of Ottawa Hills; and Wood County, except the Townships of Bloom, Henry, Jackson, Liberty, Milton, Montgomery, Perry, and Portage.

This decontrols the Village of Ottawa Hills in Lucas County, Ohio, a portion of the Toledo, Ohio, Defense-Rental Area.

6. Schedule A, Item 262, is amended to describe the counties in the Defense-Rental Area as follows:

Cumberland County, except the Borough of Lemoyne; Dauphin, and Lebanon Counties; and in Perry County, the Townships of Rye, Penn, and Wheatfield, and the municipalities of Marysville, Perdix, and Dun-cannon, Franklin.

This decontrols the Borough of Lemoyne in Cumberland County, Pennsylvania, a portion of the Pittsburgh, Pennsylvania, Defense-Rental Area.

All decontrols effected by this amendment, except Item 1 thereof, are based on resolutions submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall become effective September 1, 1950.

Issued this 1st day of September 1950.

TIGHE E. WOODS,  
Housing Expediter.

[F. R. Doc. 50-7837; Filed, Sept. 6, 1950;  
8:50 a. m.]

[Controlled Housing Rent Reg. Amdt. 278]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 275]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CALIFORNIA

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are amended in the following respect:

Schedule A, Item 37, is amended to read as follows:

(37) [Revoked and decontrolled.]

This decontrols (1) the City of San Diego in San Diego County, California, a portion of the San Diego, California, Defense-Rental Area, and all unincorporated localities in said Defense-Rental Area, based on a resolution submitted with respect to said City of San Diego in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, said City of San Diego being the major portion of said Defense-Rental Area, and (2) the remainder of said Defense-Rental Area on the Housing Expediter's own initiative in accordance with section 204 (c) of said act.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall become effective September 1, 1950.

Issued this 1st day of September 1950.

TIGHE E. WOODS,  
Housing Expediter.

[F. R. Doc. 50-7808; Filed, Sept. 6, 1950;  
8:46 a. m.]

[Controlled Housing Rent Reg., Amdt. 279]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 276]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

NORTH CAROLINA

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are amended in the following respect:

Schedule A, Item 216a, is amended to describe the counties in the Defense-Rental Area as follows:

In that portion of Guilford County which is outside of High Point Township, all incorporated cities, towns and villages except the City of Greensboro,

This decontrols the City of Greensboro in Guilford County, North Carolina, a portion of the Greensboro, North Carolina, Defense-Rental Area, based on a resolution submitted in accordance with section 204 (j) (3) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894)

This amendment shall become effective September 1, 1950.

Issued this 1st day of September 1950.

TIGHE E. WOODS,  
Housing Expediter.

[F. R. Doc. 50-7838; Filed, Sept. 6, 1950;  
8:50 a. m.]

[Controlled Housing Rent Reg., Amdt. 280]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 277]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CERTAIN STATES

The Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and the Rent

Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92) are amended in the following respects:

1. In Schedule C, Item 83, the description of localities affected by declarations for continuance of rent control after December 31, 1950, is amended to read as follows:

In Cook County, the Cities of Chicago and Evanston, the Village of Niles and all unincorporated localities; in Lake County, the Village of Libertyville and all unincorporated localities; in DuPage and Kane Counties, all unincorporated localities.

This adds to Schedule C the Village of Libertyville in Lake County, Illinois, a portion of the Chicago, Illinois, Defense-Rental Area, based on a declaration made on August 22, 1950, by the local governing body of said Village in accordance with section 204 (f) (1) of the Housing and Rent Act of 1947, as amended.

2. In Schedule C, Item 88b, the description of localities affected by declarations for continuance of rent control after December 31, 1950, is amended to read as follows:

In Tazewell County, the City of Pekin; in Peoria County, the City of Peoria; and all unincorporated localities in the Counties of Tazewell and Peoria.

This adds to Schedule C: (1) The City of Peoria in Peoria County, Illinois, a portion of the Peoria, Illinois, Defense-Rental Area, based upon a declaration made on August 14, 1950, by the local governing body of said City of Peoria in accordance with section 204 (f) (1) of the Housing and Rent Act of 1947, as amended, and (2) all unincorporated localities in said Defense-Rental Area, based upon said declaration for the City of Peoria and a similar declaration previously made by the local governing body of the City of Pekin in Tazewell County, Illinois, said Cities of Peoria and Pekin being the major portion of said Defense-Rental Area.

3. In Schedule C, Item 190, the description of localities affected by declarations for continuance of rent control after December 31, 1950, is amended to read as follows:

In Bergen County, the Cities of East Rutherford and North Arlington and the Boroughs of Fort Lee and Teterboro; in Hudson County, the Cities of Bayonne, Hoboken, Jersey City and Union City and the Township of North Bergen; in Union County, the City of Linden and the Borough of Roselle; in Essex County, the City of Newark; in Morris County, the Township of Hanover; and in Monmouth County, the City of Long Branch.

This adds to Schedule C the Borough of Teterboro in Bergen County, New Jersey, a portion of the Northeastern New Jersey Defense-Rental Area, based on a declaration made on August 15, 1950, by the local governing body of said Borough in accordance with section 204 (f) (1) of the Housing and Rent Act of 1947, as amended.

4. In Schedule C, Item 267, the description of localities affected by declarations for continuance of rent control after December 31, 1950, is amended to read as follows:

In Allegheny County, the City of McKee's Rocks; in Beaver County, the Borough of Aliquippa.

This adds to Schedule C the Borough of Aliquippa in Beaver County, Pennsylvania, a portion of the Pittsburgh, Pennsylvania, Defense-Rental Area, based on a declaration made on August 21, 1950, by the local governing body of said Borough in accordance with section 204 (f) (1) of the Housing and Rent Act of 1947, as amended.

5. In Schedule C, Item 371, the description of localities affected by declarations for continuance of rent control after De-

cember 31, 1950, is amended to read as follows:

In Puerto Rico, the Municipalities of Carolina, Cayey, Cidra, Isabela, Loiza, Naranjito, San Lorenzo and San Sebastian.

This adds to Schedule C the Municipality of Carolina in the Puerto Rico Defense-Rental Area, based on a declaration made by the local governing body of said Municipality on August 4, 1950, in accordance with section 204 (f) (1) of the Housing and Rent Act of 1947, as amended.

6. The following new items are incorporated in Schedule C:

Name of defense-rental area	State	Localities affected by declarations for continuance of rent control after Dec. 31, 1950
(14) Des Moines.....	Iowa.....	In Polk County, the town of Ankeny.
(14) Springfield.....	Massachusetts.....	In Hampden County, the town of Ludlow.

This addition to Schedule C is based upon (1) a declaration made on August 7, 1950, by the local governing body of Ankeny, Iowa, and (2) a declaration made on August 22, 1950, by the local governing body of Ludlow, Massachusetts, both in accordance with section 204 (f) (1) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 60 U. S. C. App. Sup. 1894)

This amendment shall be effective with respect to each locality covered thereby as of the date on which the declaration affecting that locality was made.

Issued this 1st day of September 1950.

TIGHE E. WOOD,  
Housing Expediter.

[F. R. Doc. 50-7839; Filed, Sept. 6, 1950;  
8:50 a. m.]

## TITLE 21—FOOD AND DRUGS

### Chapter I—Food and Drug Administration, Federal Security Agency

[Docket No. FDC-46]

#### PART 19—CHEESES; PROCESSED CHEESES; CHEESE FOODS; CHEESE SPREADS, AND RELATED FOODS: DEFINITIONS AND STANDARDS OF IDENTITY

##### FINAL ORDER

EDITORIAL NOTE: In Federal Register Document 50-7334, published at page 5656 of the issue for Thursday, August 24, 1950, the following changes have been made in the text of the original document:

1. In the table under paragraph 22 of the "Findings of fact," the word "pimiento" in the fourth from the bottom entry in the first column has been changed to read "pimento".

2. In the citation following paragraph 67 of the "Findings" the figure "1972" has been changed to read "1272".

3. In the fifteenth line of paragraph 69 of the "Findings" the word "cacia-cavalo" has been changed to read "caciocavalo".

4. In the table following § 19.500 the word "pimiento" in the fourth from the

bottom entry in the first column has been changed to read "pimento". The citation following the table has been deleted.

5. The first sentence of subparagraph (2) of § 19.535 (c) has been changed to read: "Milk shall be deemed to have been pasteurized if it has been held at a temperature of not less than 143° F. for a period of not less than 30 minutes or for a time and at a temperature equivalent thereto in phosphatase destruction."

6. In the second line of § 19.775 (a) (4) the word "described" has been changed to read "prescribed".

The following corrections also should be made in Federal Register Document 50-7334:

1. Page reference "875" should be added to the citation at the end of paragraph 12 of the "Findings of fact."

2. In paragraph I 4 of the testing method appearing under paragraph 22 of the "Findings" the word "preservation" should read "preservative."

3. The second sentence of paragraph 42 of the "Findings" should read: "A reasonable maximum limit on moisture is 44 percent, and a reasonable minimum limit on the percent of milk fat in its solids is 50 percent."

4. In paragraph (d) (2) of § 19.500, "0.25 mg." should read "0.25 gm."

5. The fifteenth line of paragraph (a) of § 19.505 should read: "prescribed in § 19.500 (c). If the milk".

6. The fifth sentence of paragraph (b) of § 19.660 should read: "Such treatment may include one or more of the following: cutting, stirring, heating, dilution with water or brine."

7. The eighth line of paragraph (b) of § 19.670 should read: "extract of rennet (with or without puri-".

8. In subparagraph (1) of § 19.775 (f), "tregacanth" should read "tragacanth" and "carragean" should read "carrageen."

9. The second sentence of subparagraph (4) of § 19.787 (f) should read: "If the flavoring is artificial, the word 'artificial' shall precede the word 'flavoring,' or the word 'artificially' shall precede the statement 'flavored with \* \* \*'."

## RULES AND REGULATIONS

## TITLE 32—NATIONAL DEFENSE

### Chapter V—Department of the Army

Subchapter A—Aid of Civil Authorities and Public Relations

#### PART 505—SAFEGUARDING MILITARY INFORMATION

##### CLASSIFICATION OF INFORMATION FROM COMMERCIAL FIRMS

Rescind § 505.6 and substitute the following in lieu thereof:

**§ 505.6 Classification of information from commercial firms.** Privately owned proprietary information which is identified as such and is given to the Government on a Confidential basis by civilian owners or their agents, and in which the Government has no rights or property interest by license or otherwise, will be classified as Confidential by the receiving agency unless otherwise authorized by the owners or their agents. Classification under this section is not intended to restrict the owners or their agents in the dissemination of such information.

[C1, AR 330-5, July 14, 1950] (R. S. 161; 5 U. S. C. 22)

[SEAL] EDWARD F. WITSELL,  
Major General, U. S. A.,  
The Adjutant General.

[P. R. Doc. 50-7831; Filed, Sept. 6, 1950;  
8:49 a. m.]

(vi) Duplication of the consent agreement on 8- by 10½-inch paper is authorized.

#### CONSENT AGREEMENT

Place \_\_\_\_\_

Date \_\_\_\_\_

I/We<sup>1</sup> certify that I am/we are<sup>1</sup> the (parent) (parents) (legal guardian)<sup>1</sup> of \_\_\_\_\_ who was (First, middle, last name of applicant) born \_\_\_\_\_

(Day) (Month) (Year)  
at \_\_\_\_\_

(City or county) (State)  
and I/we<sup>1</sup> hereby give my/our<sup>1</sup> consent to his/her<sup>1</sup> enlistment in the Enlisted Reserve Corps for a period of \_\_\_\_\_ years.

(Signature of applicant's (Complete address)  
father)

(Signature of applicant's (Complete address)  
mother)

(Signature of legal (Complete address)  
guardian, if applicable)

Subscribed and sworn to before me this  
day of \_\_\_\_\_ 19\_\_\_\_\_, at \_\_\_\_\_

[SEAL] (Signature of notary)

[C2, SR 140-107-1, Aug. 21, 1950] (R. S. 161;  
5 U. S. C. 22. Interprets or applies sec. 55, 39  
Stat. 195, as amended; 10 U. S. C. 421, 423)

[SEAL] EDWARD F. WITSELL,  
Major General, U. S. A.,  
The Adjutant General.

[P. R. Doc. 50-7830; Filed, Sept. 6, 1950;  
8:49 a. m.]

and enlisted personnel not attached to the Organized Reserve but who meet such training standards as may from time to time be established by the Commandant.

(c) *Inactive Reserve.* The Inactive Reserve shall be composed of officers and enlisted personnel who are not members of the foregoing categories and are on the inactive reserve status list as a result of inactivity, inability to perform training duty, upon own request, or for such other reasons as the Secretary may prescribe from time to time. While assigned to the inactive reserve status list no retirement benefits shall accrue.

(d) *Retired Reserve.* The Reserve Retired List as established on January 25, 1949, shall contain the names of Reserve officers and enlisted personnel retired with pay under applicable authority.

(60 Stat. 26)

#### PRECEDENCE

2. Section 8.1301 is amended to read as follows:

**§ 8.1301 Precedence of officers.** Officers of the Reserve, exclusive of those whose precedence has been heretofore established and whose names appear in the Register of the United States Coast Guard, shall be arranged on a lineal list in each grade in order of precedence approved by the Secretary of the Treasury. The lineal list so established shall constitute the Register of the Commissioned and Warrant Officers of the United States Coast Guard Reserve.

3. Section 8.1302 is amended to read as follows:

**§ 8.1302 Precedence of officers appointed subsequent to establishment of the Reserve Register.** Officers appointed in the Reserve subsequent to the establishment of the United States Coast Guard Reserve Register, provided for in § 8.1301, shall take precedence in their respective grades of the Reserve according to date of commission or warrant therein.

#### PROMOTION

##### GENERAL

4. Section 8.3101 is amended to read as follows:

**§ 8.3101 Promotion of officers.** (a) For purposes of promotion each officer of the Reserve shall be assigned a running-mate who shall be the line officer of the regular establishment not restricted in the performance of duty who is next senior to him or her, or if there be no such Regular officer, the running-mate shall be the line officer, not restricted in the performance of duty of the same grade of the Regular Coast Guard next junior to the Reserve officer. Officers of the Reserve will be considered as being eligible for promotion when their running-mate becomes so eligible.

(b) Officers will be promoted only when they have been found physically and professionally qualified for promotion by the Commandant. The findings of the Commandant may be based upon the recommendations of a Board of Officers, examination, the service record

## TITLE 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter I—Coast Guard, Department of the Treasury

#### Subchapter A—General

[CGFR 50-18]

#### PART 8—REGULATIONS, UNITED STATES COAST GUARD RESERVE

By virtue of the authority contained in an act approved June 29, 1948 (62 Stat. 1081), and section 751 of Title 14, United States Code (63 Stat. 551) the following amendments are hereby prescribed.

##### GENERAL—ADMINISTRATION AND ORGANIZATION POLICY

1. Section 8.1106 is amended to read as follows:

**§ 8.1106 Organization of Reserve.** The Coast Guard Reserve shall be composed of the following categories:

(a) *Organized Reserve.* The Organized Reserve shall be composed of officers and enlisted personnel attached to organized training units, which units can be mobilized and assigned to duty as entities in time of national emergency if desirable. The Commandant will authorize the type, location, and establishment of such units and prescribe such periods and standards of training and drill as he may deem necessary to maintain these units at desired efficiency.

(b) *Volunteer Reserve.* The Volunteer Reserve shall be composed of officers

Subchapter E—Organized Reserves

#### PART 564—ENLISTED RESERVE CORPS

##### ELIGIBILITY

Rescind paragraph (b) (1) of § 564.2 and substitute the following in lieu thereof:

##### § 564.2 Eligibility. \* \* \*

(b) *Age—(1) Original enlistments.* Each male applicant without prior service in any of the armed services of the United States must be between the ages of 17 and 35. Each female applicant without prior service in any of the armed services of the United States must be between the ages of 18 and 35. A male applicant who is between the ages of 17 and 18 or a female applicant who is between the ages of 18 and 21 will be required to furnish written consent of his or her parents or guardian. The written consent will:

(i) Be signed by both parents, but the consent of one parent may be accepted if the other is absent for an extended period of time. Enlistment is not authorized if either parent objects.

(ii) Include a statement of date of birth of applicant and a statement as to length of enlistment for which consent is granted.

(iii) Include no written or oral qualifications relative to allotments of pay, special training, or service in any particular branch of service, or at a certain post or locality.

(iv) Be notarized.

(v) Be signed in duplicate and fastened securely to the original and duplicate copies of the enlistment record.

<sup>1</sup> Strike out words not applicable.

of the officer, or such other evidence as he may deem sufficient.

## PROFESSIONAL EXAMINATIONS

## 5. Delete § 8.3201.

(Sec. 102, 62 Stat. 1081, sec. 1, 63 Stat. 551; 10 U. S. C. Sup., 581, 14 U. S. C. Sup., 751)

[SEAL] E. H. FOLEY, JR.  
Acting Secretary of the Treasury.

AUGUST 17, 1950.

Concurred in:

DAN A. KIMBALL,  
Under Secretary of the Navy.

[F. R. Doc. 50-7847; Filed, Sept. 6, 1950;  
8:51 a. m.]

## Subchapter C—AIDS TO NAVIGATION

[CGFR 50-20]

## PART 66—PRIVATE AIDS TO NAVIGATION

## MISCELLANEOUS AMENDMENTS

By virtue of the authority contained in Title 14, United States Code, sections 83, 84, 85, and 92, the regulations are amended as indicated below.

In accordance with the exception indicated in section 4 of the Administrative Procedure Act (5 U. S. C. 1003 (a)), public hearings are not deemed necessary since the amendments are promulgated for the purpose of making editorial corrections and clarifying administrative procedure. However, any person who may feel aggrieved by the promulgation of these amendments may appeal therefrom to the Commandant (OAN), United States Coast Guard, Washington 25, D. C., in writing within 30 days from date of publication of this document in the FEDERAL REGISTER. The written appeal shall be presented in triplicate and shall include data and views as to why the amendments promulgated herein should be changed in the respect set forth in the appeal. All matters presented in writing within the prescribed time will be given careful consideration and any person submitting an appeal will be notified as to the disposition of the appeal.

1. Section 66.01-1 is amended to read as follows:

§ 66.01-1 Basic provisions. (a) No person, company, corporation, or municipality, not under the control of the Commandant, exclusive of the Armed Forces, shall establish, erect, or maintain in the navigable waters of the United States any aid to maritime navigation without first obtaining permission to do so from the Commandant, nor shall any person, company, corporation, or municipality, change, move, or discontinue any private aid to navigation so authorized without first obtaining permission to do so from the Commandant.

(b) Coast Guard authorization of a private aid to navigation does not authorize any invasion of private rights, nor grant any exclusive privileges, nor does it obviate the necessity of complying with any other Federal, State, or local laws or regulations. It merely expresses the assent of the Federal Govern-

ment so far as concerns the public rights and benefits derived from the aids-to-navigation system of the United States.

2. Section 66.01-15 is amended to read as follows:

§ 66.01-15 Classification. The District Commander receiving the application will forward it to the Commandant with a recommendation, and will assign the aid one of the following classifications:

*Class I.* AIDS TO NAVIGATION ON MARINE STRUCTURES OR OTHER WORKS WHICH THE OWNERS ARE LEGALLY OBLIGATED TO ESTABLISH, MAINTAIN AND OPERATE AS PRESCRIBED BY THE COAST GUARD.

*Class II.* AIDS TO NAVIGATION EXCLUSIVE OF CLASS I LOCATED IN WATERS USED BY GENERAL NAVIGATION.

*Class III.* AIDS TO NAVIGATION EXCLUSIVE OF CLASS I LOCATED IN WATERS NOT ORDINARILY USED BY GENERAL NAVIGATION.

3. Section 66.01-20 is amended to read as follows:

§ 66.01-20 Inspection. All classes of private aids to navigation shall be maintained in proper condition. They are subject to inspection by the Coast Guard at any time and without prior notice to the maintainer. Class I and II private aids to navigation will be inspected at least once each year. Class III private aids to navigation will be inspected at least once every three years.

4. Section 66.01-50 is amended by striking out the citation at the end of the section.

(Sec. 8, 18 Stat. 127, as amended; 14 U. S. C. 92. Interpret or apply sec. 3, 34 Stat. 324, as amended; 33 U. S. C. 759)

Dated: August 25, 1950.

[SEAL] E. H. FOLEY, JR.  
Acting Secretary of the Treasury.

[F. R. Doc. 50-7846; Filed, Sept. 6, 1950;  
8:51 a. m.]

## TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter III—Corps of Engineers,  
Department of the Army

## PART 311—RULES AND REGULATIONS GOVERNING PUBLIC USE OF CERTAIN RESERVOIR AREAS

## HEYBURN RESERVOIR AREA, POLECAT CREEK, OKLAHOMA

The Secretary of the Army having determined that use of the Heyburn Reservoir Area, Polecat Creek, Oklahoma, by the general public for boating, fishing, bathing, and other recreational purposes will not be contrary to the public interest and will not be inconsistent with the operation and maintenance of the reservoir for its primary purposes, hereby prescribes the following rules and regulations pursuant to the provisions of section 4 of an act of Congress approved December 22, 1944 (58 Stat. 889; 16 U. S. C. 460d) as amended by the Flood Control Act of 1946 (60 Stat. 641), for the public use of Heyburn Reservoir Area, Oklahoma, by adding a new paragraph (ee) to § 311.1, and rescinding

paragraph (a) (4) of § 311.4 and substituting the following in lieu thereof:

§ 311.1 Areas covered. \* \* \*  
(ee) Heyburn Reservoir, Polecat Creek, Oklahoma.

§ 311.4 Houseboats. (a) \* \* \*  
(4) Heyburn Reservoir, Polecat Creek, Oklahoma.

[Reg. Aug. 18, 1950, ENGWO] (58 Stat. 889, as amended; 16 U. S. C. 460d)

[SEAL] EDWARD F. WITSELL,  
Major General, U. S. A.,  
The Adjutant General.

[F. R. Doc. 50-7832; Filed, Sept. 6, 1950;  
8:49 a. m.]

## TITLE 44—PUBLIC PROPERTY AND WORKS

## Chapter I—General Services Administration

## Subchapter B—Personal Property Management

## PART 60—PERSONAL PROPERTY: APPLICATION OF PROCEEDS OF EXCHANGE OR SALE TO PURCHASE OF SIMILAR ITEMS

- Sec.
- 60.0 Purpose and scope.
  - 60.1 Restriction to "similar items".
  - 60.2 Administrative determination required.
  - 60.3 Restrictions as to time for application.
  - 60.4 Written evidence of transaction.
  - 60.5 Solicitation of bids.
  - 60.6 Construction of regulations.

AUTHORITY: §§ 60.0 to 60.6 issued under sec. 205, 63 Stat. 385; 41 U. S. C. Supp. 235. Interpret or apply sec. 201, 63 Stat. 383; 41 U. S. C. Supp., 41 U. S. C. Supp. 231.

§ 60.0 Purpose and scope. The provisions of this part are designed to inform and guide the public with respect to the authority of executive agencies to acquire personal property under section 201 (c) of the Federal Property and Administrative Services Act of 1949 (Pub. Law 152, 81st Cong.). Section 201 (c) authorizes any executive agency, under regulations prescribed by the Administrator of General Services, to exchange or sell personal property and apply the exchange allowance or proceeds in payment for similar items acquired, provided that the transaction be evidenced in writing.

NOTE: Personal Property Management Regulation No. 6, dated September 1, 1950, and distributed by the General Services Administration (Office of Management), deals with the same subject but contains additional provisions affecting executive agencies which do not have direct application to the public.

§ 60.1 Restriction to "similar items". Items sold or exchanged under section 201 (c) must be "similar" to the items acquired. For the purpose of this part, items shall be deemed "similar" when—

(a) They are substantially identical in all material aspects and characteristics, excluding, however, condition, year, model, size or capacity, and manufacture; or

(b) The agency head, or his representative duly authorized for the purpose, finds in writing that they resemble each other in most material aspects and char-

## RULES AND REGULATIONS

acteristics and are adaptable to the same or comparable uses; or

(c) They constitute parts of or for assembled items which are similar within the meaning of paragraphs (a) and (b) of this section.

**§ 60.2 Administrative determination required.** An administrative determination to apply the exchange allowance or proceeds of sale in accordance with the provisions of section 201 (c) must be made at the time of transfer or sale.

**§ 60.3 Written evidence of transaction.** Each transaction carried out under the authority of section 201 (c) shall be evidenced in writing which shall indicate the amount of trade-in allowance or proceeds of sale, if any, involved in such transaction.

**§ 60.4 Solicitation of bids.** In disposing of property under section 201 (c), executive agencies are required to solicit both cash and trade-in bids except that

(a) Bids need not be solicited when the personal property sought to be acquired may be procured without solicitation of bids under applicable laws and regulations;

(b) Cash bids need not be solicited when the items sought to be sold or exchanged may be disposed of without solicitation of bids under applicable laws and regulations;

(c) Both types of bids need not be solicited when recent solicitation for identical items has produced only one type of offer under circumstances indicating the futility of further advertising for any other type of offer;

(d) Both types of bids need not be solicited when such solicitation for the items to be sold or exchanged would clearly be ineffective in reducing the cost of the acquisition, e. g., by reason of the existing commercial practice with respect to exchange or sale of such items.

**§ 60.5 Construction of regulations.** The regulations in this part shall not be construed to authorize acquisitions not otherwise authorized by law, or to exempt agencies from procurement

requirements prescribed by the Administrator of General Services.

Dated: September 1, 1950.

JESS LARSON,  
Administrator of  
General Services.

[F. R. Doc. 50-7828; Filed, Sept. 6, 1950;  
8:46 a. m.]

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1)

By the Commission, Division 3.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-7828; Filed, Sept. 6, 1950;  
8:49 a. m.]

[S. O. 857-A]

## PART 95—CAR SERVICE

REFRIGERATOR CARS FOR FRUIT AND  
VEGETABLE CONTAINERS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 31st day of August A. D. 1950.

Upon further consideration of Service Order No. 855 (15 F. R. 4771, 4895, 5797) and good cause appearing therefor: It is ordered, that:

Section 95.855 *Refrigerator cars for fruit and vegetable containers*, be and it is hereby vacated and set aside. It is further ordered, that this order shall become effective at 12:01 a. m., September 1, 1950; that a copy of this order shall be served upon the State railroad regulatory bodies of each State, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1)

By the Commission, Division 3.

[SEAL] W. P. BARTELL,  
Secretary.

[F. R. Doc. 50-7840; Filed, Sept. 6, 1950;  
8:50 a. m.]

## PROPOSED RULE MAKING

## DEPARTMENT OF AGRICULTURE

Production and Marketing  
Administration

## 17 CFR, Part 960]

[Docket No. AO-159A-1]

HANDLING OF IRISH POTATOES GROWN IN MICHIGAN, WISCONSIN, MINNESOTA, NORTH DAKOTA AND IN CERTAIN COUNTIES OF IOWA AND OF INDIANA

DECISION WITH RESPECT TO PROPOSED  
MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 61 Stat. 202, 707; 62 Stat. 1247; 63 Stat. 1051), and the applicable rules of practice and procedure governing

proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Minneapolis, Minnesota, April 24-28, 1950, and at Lansing, Michigan, May 1-3, 1950, pursuant to notice thereof in the FEDERAL REGISTER (15 F. R. 1894), upon amendments to a tentatively approved marketing agreement and to Order No. 60 regulating the handling of Irish potatoes grown in Michigan, Wisconsin, Minnesota, and North Dakota (hereinafter jointly called "Order No. 60").

Upon the basis of the evidence introduced at the aforesaid hearing and the record thereof, the Assistant Administrator, Production and Marketing Administration, on August 11, 1950, filed with the Hearing Clerk, United States Department of Agriculture, his recom-

mended decision in this proceeding. The notice of the filing of such recommended decision, affording opportunity to file written exceptions thereto, was published in the FEDERAL REGISTER (15 F. R. 5434).

*Rulings.* Exceptions to the recommended decision were filed, on behalf of The Potato Growers of Wisconsin, Inc., Indiana Potato Growers Association, and Southern Minnesota Potato Growers Association, by their attorneys, Jeffris, Mouat, Oestreich, Wood, and Cunningham, and supplemental exceptions were filed, on behalf of the Indiana Potato Growers Association, by W. K. Gast, President of such association. Each of such exceptions was fully and carefully considered, together with the evidence in the record, in arriving at the findings and conclusions set forth herein. In

substance, all of the germane exceptions, filed as aforesaid, are allegations that the record of the public hearing does not warrant or support specified findings and conclusions and that, on the contrary, such record requires other and different findings and conclusions. To the extent that the exceptions are at variance with the findings and conclusions decided upon herein, such exceptions are overruled.

The material issues and the findings and conclusions of the recommended decision set forth in the FEDERAL REGISTER (F. R. Doc. 50-7153; 15 F. R. 5434) are hereby approved, and adopted, and incorporated herein, as the material issues and the findings and conclusions of this decision as if set forth in full herein.

In view of such findings and conclusions, it is hereby further found and concluded that the proposed amendments to Order No. 60 are indispensable to the effective regulation of the handling of Irish potatoes grown in the production area defined in Order No. 60, and that, unless such amendments are made effective, Order No. 60 will no longer tend to effectuate the declared policy of the act after the completion of the referendum to ascertain producer approval or disapproval of said amendments. Accordingly, if the amendments do not receive the requisite producer approval, Order No. 60 will be terminated. Order No. 60 will tend to effectuate the declared policy of the act to some extent during that portion of the marketing season preceding the referendum because only a relatively small quantity of such potatoes will be marketed during this period and the handling of these potatoes can be effectively regulated, whereas the handling of the remainder of the current crop of such potatoes cannot be effectively regulated under Order No. 60 when they are marketed in substantial volume after the referendum, unless the proposed amendments are made effective.

*Marketing agreement and order.* Annexed hereto and made a part hereof are two documents entitled, respectively, "Marketing Agreement Regulating the Handling of Irish Potatoes Grown in Michigan, Wisconsin, Minnesota, North Dakota, and in Certain Counties of Iowa and of Indiana" and "Order, as Amended, Regulating the Handling of Irish Potatoes Grown in Michigan, Wisconsin, Minnesota, North Dakota and in Certain Counties of Iowa and of Indiana," which have been decided upon as the appropriate and detailed means of effectuating the foregoing findings and conclusions. The aforesaid marketing agreement and the aforesaid order shall not become effective unless and until the requirements of § 900.14 of the aforesaid rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

*It is hereby ordered.* That all of this decision, except the attached agreement, be published in the FEDERAL REGISTER. The regulatory provisions of the said agreement are identical with those contained in the attached order, which will be published with this decision.

Done at Washington, D. C., this 1st day of September 1950.

[SEAL] C. J. MCCORMICK,  
Acting Secretary of Agriculture.

*Order, as Amended,<sup>1</sup> Regulating the Handling of Irish Potatoes Grown in Michigan, Wisconsin, Minnesota, North Dakota, and in Certain Counties of Iowa and Indiana*

Sec.

960.0 Findings and determinations.

#### DEFINITIONS

- 960.1 Secretary.
- 960.2 Act.
- 960.3 Person.
- 960.4 Production area.
- 960.5 Potatoes.
- 960.6 Handler.
- 960.7 Ship or handle.
- 960.8 Producer.
- 960.9 Fiscal year.
- 960.10 Committee and area committee.
- 960.11 Varieties.
- 960.12 Seed potatoes.
- 960.13 Table stock potatoes.
- 960.14 Pack.
- 960.15 Grade and size.
- 960.16 Export.
- 960.17 District.
- 960.18 Area.
- 960.19 Washed potatoes.
- 960.20 Part and subpart.

#### COMMITTEE

- 960.22 Establishment and membership.
- 960.23 Term of office.
- 960.24 Selection.
- 960.25 Districts.
- 960.26 Areas.
- 960.27 Reestablishment.
- 960.28 Nomination.
- 960.29 Failure to nominate.
- 960.30 Acceptance.
- 960.31 Vacancies.
- 960.32 Alternate members.
- 960.33 Procedure.
- 960.34 Expenses and compensation.
- 960.35 Powers.
- 960.36 Duties.
- 960.37 Area Committees.

#### BUDGET, EXPENSES, AND ASSESSMENTS

- 960.40 Budget.
- 960.41 Expenses.
- 960.42 Rate of assessment.
- 960.43 Amended budgets and increased assessment rates.
- 960.44 Refunds.
- 960.45 Accounting.
- 960.46 Collection of funds.

#### REGULATION

- 960.50 Marketing policy.
- 960.51 Recommendation for regulations.
- 960.52 Issuance of regulations.
- 960.53 Modification, suspension, or termination.
- 960.54 Minimum quantity regulation.
- 960.55 Notification of regulation.
- 960.56 Safeguards.

#### INSPECTION

- 960.65 Inspection and certification.

#### EXEMPTIONS

- 960.70 Policy.
- 960.71 Rules and procedures.
- 960.72 Applications and issuance.
- 960.73 Investigation.
- 960.74 Appeals.
- 960.75 Records.

<sup>1</sup> This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

#### MISCELLANEOUS PROVISIONS

- 960.80 Reports.
- 960.81 Compliance.
- 960.82 Right of the Secretary.
- 960.83 Effective time.
- 960.84 Termination.
- 960.85 Proceedings after termination.
- 960.86 Effect of termination or amendment.
- 960.87 Duration of immunities.
- 960.88 Agents.
- 960.89 Derogation.
- 960.90 Personal liability.
- 960.91 Separability.
- 960.92 Amendments.

AUTHORITY: §§ 960.0 to 960.92 issued under 48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 61 Stat. 202, 707; 63 Stat. 1247; 63 Stat. 1051.

#### § 960.0 Findings and determinations—

(a) *Findings upon the basis of the hearing record.* Pursuant to Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 61 Stat. 202, 707; 63 Stat. 1247; 63 Stat. 1051), and the rules of practice and procedure covering proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Minneapolis, Minnesota, April 24-28, 1950 and at Lansing, Michigan, May 1-3, 1950, upon proposed amendments to the tentatively approved marketing agreement and Order No. 60 regulating the handling of Irish potatoes grown in Michigan, Wisconsin, Minnesota, and North Dakota (hereinafter jointly called "Order No. 60"). Upon the basis of evidence introduced at such hearing, and the record thereof, it is found that:

(1) The amended order, as herein-after set forth, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) Such amended order regulates the handling of potatoes grown in the production area in the same manner as, and is applicable only to, persons in the respective classes of industrial and commercial activity specified in, a proposed marketing agreement upon which a hearing has been held;

(3) The said amended order is limited in its application to the smallest regional production area which is practicable, consistent with carrying out the declared policy of the act; and the issuance of several orders applicable to any subdivision of the production area would not effectively carry out the declared policy of the act;

(4) The said amended order prescribes, so far as practicable, such different terms, applicable to different parts of the production area, as are necessary to give due recognition to the differences in the production and marketing of potatoes grown in the said area;

(5) All handling of potatoes, as defined in said amended order, is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

*Order relative to handling.* It is hereby ordered, pursuant to the findings and determinations set forth in § 960.0 hereof and pursuant to the aforesaid act, that such handling of potatoes, as defined in this order shall, from and after the time hereinafter specified, be in con-

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formity to and in compliance with the terms and conditions of this order.

## DEFINITIONS

**§ 960.1 Secretary.** "Secretary" means the Secretary of Agriculture of the United States, or any other officer, or employee of the United States Department of Agriculture, who is, or may hereafter be authorized to exercise the powers and to perform the duties of the Secretary of Agriculture.

**§ 960.2 Act.** "Act" means Public Act No. 10, 73d Congress, as amended and reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq., 61 Stat. 202, 707; 62 Stat. 1247; 63 Stat. 1051).

**§ 960.3 Person.** "Person" means an individual, partnership, corporation, association, or any organized group or business unit.

**§ 960.4 Production area.** "Production area" means all territory included within the boundaries of the States of Michigan, Wisconsin, Minnesota, North Dakota, the counties of Clay, Emmet, Palo Alto, Pocahontas, Kossuth, Winnebago, Hancock, Wright, Hamilton, Worth, Cerro Gordo, and Mitchell, in the State of Iowa, and Warren, Benton, White, Carroll, Cass, Miami, Wabash, Huntington, Wells, Adams, and all counties lying north thereof, in the State of Indiana.

**§ 960.5 Potatoes.** "Potatoes" means all varieties of Irish potatoes grown within the production area.

**§ 960.6 Handler.** "Handler" is synonymous with shipper and means any person (except a common or contract carrier of potatoes owned by another person) who ships potatoes.

**§ 960.7 Ship or handle.** "Ship" or "handle" means to sell, transport, or in any other way to place potatoes in the current of commerce within the production area or between the production area and any point outside thereof.

**§ 960.8 Producer.** "Producer" means any person engaged in the production of potatoes for market.

**§ 960.9 Fiscal year.** "Fiscal year" means the period beginning on July 1 of each year and ending June 30 following.

**§ 960.10 Committee and area committee.** "Committee" means the administrative committee, called the North Central Potato Committee, established pursuant to § 960.22, and "area committee" means each of the subcommittees of the committee established pursuant to § 960.37.

**§ 960.11 Varieties.** "Varieties" means and includes all classifications or subdivisions of Irish potatoes according to those definitive characteristics now or hereafter recognized by the United States Department of Agriculture.

**§ 960.12 Seed potatoes.** "Seed potatoes" or "seed" means and includes (a) all potatoes officially certified and tagged, marked, or otherwise appropriately identified, under the supervision

of an official seed potato certifying agency of the State in which the potatoes are grown, or other agency recognized by the committee and approved by the Secretary, and (b) potatoes which, although uncertified as seed, are shipped as seed in accordance with the rules and regulations prescribed therefor pursuant to § 960.56.

**§ 960.13 Table stock potatoes.** "Table stock potatoes" means and includes all potatoes not included within the definition of "seed potatoes."

**§ 960.14 Pack.** "Pack" means a unit of potatoes contained in a bag, crate, or other type of container and which falls within specific weight limits recommended by the administrative committee and approved by the Secretary.

**§ 960.15 Grade and size.** "Grade" means any one of the officially established grades of potatoes, and "size" means any one of the officially established sizes of potatoes, as defined and set forth in:

(a) United States Standards for Potatoes issued by the United States Department of Agriculture (14 F. R. 1955, 2161), or amendments thereto, or modifications thereof, or variations based thereon;

(b) United States Consumer Standards for Potatoes issued by the United States Department of Agriculture (12 F. R. 7281), or amendments thereto, or modifications thereof, or variations based thereon;

(c) Standards for potatoes issued by appropriate authorities of any State within the production area, or amendments thereto, or modifications thereof, or variations based thereon.

**§ 960.16 Export.** "Export" means shipment of potatoes beyond the boundaries of Continental United States.

**§ 960.17 District.** "District" means each one of the geographical divisions of the production area initially established pursuant to § 960.25 and as reestablished pursuant to § 960.27.

**§ 960.18 Area.** "Area" means each of the geographical subdivisions of the production area initially established pursuant to § 960.26 and as reestablished pursuant to § 960.27.

**§ 960.19 Washed potatoes.** "Washed potatoes" means potatoes which have been cleaned by water and certified by the Federal-State Inspection Service as meeting the degree of cleanliness recommended by the committee and approved by the Secretary.

**§ 960.20 Part and subpart.** "Part" means the order regulating the handling of Irish potatoes grown in the production area, and all rules, regulations, and supplementary orders issued thereunder, and the aforesaid order shall be a "sub-part" of such "part."

## COMMITTEE

**§ 960.22 Establishment and membership.** (a) The North Central Potato Committee consisting of eighteen members, of whom fourteen shall be producers and four shall be handlers, is hereby established. For each member of the committee there shall be an alter-

nate who shall have the same qualifications as the member.

(b) Persons selected as committee members or alternates to represent producers shall be individuals who are producers in the respective district for which selected, or officers or employees of a corporate producer in such district, and such persons shall be residents of the respective district for which selected.

(c) Persons selected as committee members or alternates to represent handlers shall be individuals who are handlers in the respective State for which selected, or officers or employees of a corporate handler.

**§ 960.23 Term of office.** The term of office of committee members and alternates shall be for two fiscal years, and until their successors are selected and have qualified: *Provided, however,* That the terms of office of members and alternates shall be so determined that one-half of the total committee membership shall terminate at the end of each fiscal year. Committee members and alternates shall serve during the term of office for which they are selected and have qualified, or during that portion thereof beginning on the date on which they qualify during such term of office and continuing until the end thereof, and until their successors are selected and have qualified.

**§ 960.24 Selection.** The Secretary shall select one producer member of the committee from each district in the States of Michigan, Wisconsin, Minnesota, Iowa, Indiana, and from North Dakota District No. 2; two producer members from North Dakota District No. 1; and one handler member from each of the States of Michigan, Wisconsin, Minnesota, and North Dakota: *Provided,* That no changes in districts, or areas, or both, or representation, have been made pursuant to § 960.27. If any such changes have been made pursuant to recommendations of any one or more area committees and the committee, and approved by the Secretary, selection of committee members shall be in accordance with the districts, areas, and membership as so re-established. An alternate shall be selected for each member and such alternate shall have the same qualifications as the member. Producer members and alternates shall represent the respective district from which they are selected.

**§ 960.25 Districts.** (a) The following districts of the production area are hereby initially established:

*North Dakota District No. 1.* The counties of Rolette, Pierce, Wells, Kidder, Logan, McIntosh, and all counties lying east thereof in North Dakota;

*North Dakota District No. 2.* The remaining counties in North Dakota not included in North Dakota District No. 1;

*Minnesota District No. 1.* The counties of Kittson, Marshall, Polk, Pennington, Red Lake, Norman, Mahnomen, Clay, and Wilkin;

*Minnesota District No. 2.* The counties of Big Stone, Swift, Kandiyohi, Meeker, Wright, Hennepin, Ramsey, Washington, and all counties lying south thereof in Minnesota;

*Minnesota District No. 3.* The remaining counties in Minnesota not included in Minnesota District No. 1 and Minnesota District No. 2;

*Wisconsin District No. 1.* The counties of Trempealeau, Eau Claire, Chippewa, Rusk, Sawyer, Bayfield, and all counties lying west thereof in Wisconsin;

*Wisconsin District No. 2.* The counties of Clark, Marathon, Shawano, Oconto, and all counties lying north thereof in Wisconsin;

*Wisconsin District No. 3.* The remaining counties in Wisconsin not included in Wisconsin District No. 1, and Wisconsin District No. 2;

*Michigan District No. 1.* All the counties in the Upper Peninsula of Michigan;

*Michigan District No. 2.* The counties of Oceana, Newaygo, Mecosta, Isabella, Midland, Bay, and all counties lying north thereof in Michigan, but not including the Upper Peninsula;

*Michigan District No. 3.* The remaining counties in Michigan not included in Michigan District No. 1, and Michigan District No. 2;

*Iowa District No. 1.* The counties of Clay, Emmet, Palo Alto, Pocahontas, Kossuth, Winnebago, Hancock, Wright, Hamilton, Worth, Cerro Gordo, and Mitchell in Iowa; and

*Indiana District No. 1.* The counties of Warren, Benton, White, Carroll, Cass, Miami, Wabash, Huntington, Wells, Adams, and all counties north thereof in Indiana.

§ 960.26 *Areas.* The following subdivisions of the production area are hereby initially established:

*Area No. 1.* North Dakota Districts No. 1 and No. 2;

*Area No. 2.* Minnesota Districts No. 1, No. 2, and No. 3, and Iowa District No. 1;

*Area No. 3.* Wisconsin Districts No. 1, No. 2, and No. 3;

*Area No. 4.* Michigan Districts No. 1, No. 2, and No. 3, and Indiana District No. 1.

§ 960.27 *Reestablishment.* (a) Upon the recommendation of the committee, the Secretary may reestablish districts or areas, or both, within the production area, and may reapportion committee membership among such districts or areas, or both.

(b) An area committee may recommend to the committee reestablishment of districts or the reapportionment of committee membership, or both, within the area represented by such area committee. Any two or more area committees may make similar recommendations to the committee regarding reestablishment of districts or areas of the production area, or both, or the reapportionment of committee membership among such districts or areas of the production area, or both: *Provided*. That in recommending any such changes in districts or areas, or both, or representation, such committees shall give consideration to: (1) The relative importance of new production; (2) changes in the relative position, with respect to production, of existing districts; (3) the geographic location of production as it would affect the efficiency of administering this program; and (4) other relevant factors.

§ 960.28 *Nomination.* The Secretary may select the members of the committee, with their respective alternates, from nominations which may be made in the following manner:

(a) The committee shall hold or cause to be held prior to May 1 of each fiscal year, after the effective date of this subpart, a meeting or meetings of producers in each district and a meeting or meet-

ings of handlers in the States of Michigan, Wisconsin, Minnesota, and North Dakota;

(b) In arranging for such meetings the committee may, if it deems desirable, utilize the services and facilities of existing organizations and agencies;

(c) At each such meeting at least two nominees shall be designated for each position as member and for each position as alternate member on the committee.

(d) Nominations for committee members and alternate members shall be supplied to the Secretary in such manner and form as he may prescribe, not later than 30 days prior to the end of each fiscal year;

(e) Only producers may participate in designating nominees for producer committee members and their alternates and only handlers may participate in designating nominees for handler committee members and their alternates. If a person is both a producer and a handler, at least 90 percent of the potatoes handled by such person must be of his own production in order to qualify as a producer member or alternate of the committee and for designating producer nominees for the committee; each person who is both a producer and a handler may vote either as a producer or a handler and may elect, subject to such 90 percent limitation, the group in which he votes; and

(f) Regardless of the number of districts in which a person produces potatoes, each such person is entitled to cast only one vote on behalf of himself, his agents, subsidiaries, affiliates, and representatives, in designating nominees for committee members and alternates: *Provided*, That in the event a person is engaged in producing potatoes in more than one district such person shall elect the district within which he may participate as aforesaid in designating nominees: *Provided further*, That an eligible voter's privileges of casting only one vote as aforesaid shall be construed to permit a voter to cast one vote for each position to be filled in the respective district in which he elects to vote.

§ 960.29 *Failure to nominate.* If nominations are not made within the time and in the manner specified in § 960.28, the Secretary may, without regard to nominations, select the committee members and alternates, which selection shall be on the basis of the representation provided for in § 960.24.

§ 960.30 *Acceptance.* Any person selected as a committee member or as an alternate shall qualify by filing a written acceptance with the Secretary within ten days after being notified of such selection.

§ 960.31 *Vacancies.* To fill committee vacancies, the Secretary may select committee members and alternates from unselected nominees on the current nominee list from the district involved, or from nominations made in the manner specified in § 960.28. If the names of nominees to fill any such vacancy are not made available to the Secretary within 30 days after such vacancy occurs, such vacancy may be filled without regard to nominations, which selection

shall be made on the basis of the representation provided for in § 960.24.

§ 960.32 *Alternate members.* An alternate member of the committee shall act in the place and stead of the member for whom he is an alternate, during such member's absence. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor of such member is selected and has qualified.

§ 960.33 *Procedure.* (a) A majority of the members of the committee shall be necessary to constitute a quorum and a majority of concurring votes of the entire membership of such committee will be required to pass any motion or approve any committee action.

(b) The committee may provide for meeting by telephone, telegraph, or other means of communication and any vote cast at such a meeting shall be confirmed promptly in writing: *Provided*, That if any assembled meeting is held, all votes shall be cast in person.

§ 960.34 *Expenses and compensation.* Committee members and alternates shall serve as such members and alternates without compensation, but they shall be reimbursed for expenses necessarily incurred by them in the performance of their duties and in the exercise of their powers under this part.

§ 960.35 *Powers.* The committee shall have the following powers:

(a) To administer the provisions of this part in accordance with its terms;

(b) To make rules and regulations to effectuate the terms and provisions of this part;

(c) To receive, investigate, and report to the Secretary complaints of violation of the provisions of this part; and

(d) To recommend to the Secretary amendments to this part.

§ 960.36 *Duties.* It shall be the duty of the committee:

(a) At the beginning of each fiscal year, to meet and organize, select a chairman and such other officers as may be necessary, to select subcommittees of committee members, and to adopt such rules and regulations for the conduct of its business as it may deem advisable;

(b) To act as intermediary between the Secretary and any producer or handler;

(c) To furnish to the Secretary such available information as he may request;

(d) To appoint such employees, agents, and representatives as it may deem necessary and to determine the salaries and define the duties of each such person;

(e) To investigate from time to time and to assemble data on the growing, harvesting, shipping, and marketing conditions with respect to potatoes, and to engage in such research and service activities which relate to the handling or marketing of potatoes as may be approved by the Secretary;

(f) To keep minutes, books, and records which clearly reflect all of the acts and transactions of the committee and such minutes, books, and records shall be subject to examination at any time by the Secretary or his authorized agent or representative;

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(g) To make available to producers and handlers the committee voting record on recommended regulations and on other matters of policy;

(h) At the beginning of each fiscal year to prepare a budget of its expenses for such fiscal year, together with a report thereon;

(i) To cause the books of the committee to be audited by a competent accountant at least once each fiscal year, and at such other time as the committee may deem necessary or as the Secretary may request. The report of such audit shall show the receipt and expenditure of funds collected pursuant to this part; a copy of each such report shall be furnished to the Secretary and a copy of each such report shall be made available at the principal office of the committee for inspection by producers and handlers; and

(j) To consult, cooperate, and exchange information with other potato marketing committees and other individuals or agencies in connection with all proper committee activities and objectives under this part.

**§ 960.37 Area Committees.** The producer members representing Area No. 1 on the committee and the handler representing North Dakota on the committee shall constitute the Area Committee for Area No. 1. Likewise, the producer members representing each of the other areas on the committee, together with the appropriate handler representative, shall constitute the area committees for such areas. Each Area Committee may, upon the selection and qualification of a majority of its members, organize and commence to function; and a majority of all members of the respective Area Committee shall be necessary to constitute a quorum of the respective committee. Each Area Committee shall select a chairman and a secretary. The alternate for each member of an Area Committee shall be the person who serves as alternate for such member on the committee. The alternate for a member of an Area Committee shall, in the event of the respective member's absence, act in the place of said member; and in the event of such member's removal, resignation, disqualification, or death, the alternate for said member shall, until a successor for the unexpired term of said member has been selected, act in the place of said member. Each Area Committee shall function in accordance with the provisions of this subpart, and each Area Committee shall submit to the committee such reports and recommendations as the Area Committee deems to be proper, pursuant to the provisions of this subpart, with respect to the administration of the provisions of this part, in the respective area for which such committee is organized. Except as herein otherwise specifically provided, the powers and duties of Area Committees, as subcommittees of the committee, shall be determined by the committee.

## BUDGET, EXPENSES, AND ASSESSMENTS

**§ 960.40 Budget.** The committee shall prepare a budget for each fiscal year showing its anticipated expenses and a proposed rate of assessment to cover

such expenses. The committee shall also transmit to the Secretary a report accompanying the budget showing the basis for its calculation of expenses and the proposed rate of assessment.

**§ 960.41 Expenses.** The committee is authorized to incur such expenses as the Secretary, upon the basis of the aforesaid budget or other available information, finds may be necessary during each fiscal year to perform its functions under this part and for such other purposes as may be appropriate pursuant to the provisions of this part.

**§ 960.42 Rate of assessment.** The funds to cover such expenses shall be acquired by the levying on handlers of assessments which shall be at a rate recommended by the committee and, on the basis of such recommendation, or other available information, fixed by the Secretary. Each handler who first ships potatoes which are ready for market shall pay assessments, except where relieved therefrom pursuant to §§ 960.53 and 960.54, to the committee, upon demand, which assessments shall be such handler's pro rata share of the expenses which will be appropriately incurred by the committee during each fiscal year. Such handler's share of such expense shall be proportionate to the ratio between the total quantity of potatoes handled by him as the first handler thereof, during the applicable fiscal year, and the total quantity of potatoes handled by all handlers as the first handlers thereof, during the same fiscal year.

**§ 960.43 Amended budgets and increased assessment rates.** At any time during or subsequent to a given fiscal year, the committee may recommend the approval of an amended budget and the fixing of an increased rate of assessment. Upon the basis of such recommendations, or other available information, the Secretary may approve an amended budget and increase the rate of assessment to cover expenses which shall be incurred pursuant to an approved budget or amended budget. Such increase shall be applicable to all potatoes handled during such given fiscal year.

**§ 960.44 Refunds.** If at the end of a fiscal year, it shall appear that assessments collected are in excess of expenses incurred, each handler entitled to a proportionate refund of the excess assessments shall be credited with such refund against the operations of the following fiscal year, unless he demands payment thereof, in which event such proportionate refund shall be paid to him.

**§ 960.45 Accounting.** All funds received by the committee pursuant to any provision of this part shall be used solely for the purposes specified in this part and shall be accounted for in the following manner:

The Secretary may at any time require the committee and its members to account for all receipts and disbursements, and whenever any person ceases to be a committee member or alternate, he shall account for all receipts and disbursements and deliver all property and funds in his hands, together with all books and records in his possession, to his

successor in office or to such person as the Secretary may designate, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor or in such designated person the right to all the property, funds, or claims vested in such member or alternate.

**§ 960.45 Collection of funds.** (a) The committee may, with the approval of the Secretary, maintain in its own name or in the name of its members, a suit against any handler for the collection of such handler's pro rata share of the expenses of the committee.

(b) In order to provide funds to carry out the functions of the committee, handlers may make advance payment of assessments.

## REGULATION

**§ 960.50 Marketing policy.** The Area Committee for each of the areas included in the production area and the committee, severally, shall, prior to or simultaneously with the making of any recommendation pursuant to § 960.51, submit to the Secretary a detailed report setting forth the marketing policy with respect to the shipment of potatoes which the respective committee deems advisable for the ensuing shipping season. Additional reports shall be submitted, from time to time, in the event that it is deemed advisable by the respective Area Committee or the committee to adopt a new marketing policy in view of changed demand and supply conditions with respect to potatoes. The committee shall publicly announce the submission of each such marketing policy report, and copies thereof shall be made available at the office of the respective Area Committee and the committee for inspection by any producer or handler. In determining each such marketing policy the respective Area Committee and the committee shall give due consideration to the following factors relating to potatoes produced in the area and in other States:

(a) Market prices of potatoes, including prices by grade, size, and quality in different packs, or any other shipping unit;

(b) Supply of potatoes, by grade, size, quality, in the production area, and in other production areas;

(c) Trend and level of consumer income; and

(d) Other relevant factors.

**§ 960.51 Recommendation for regulations.** The committee, pursuant to investigations and analysis of factors enumerated in § 960.50, shall recommend regulations to the Secretary whenever it finds that such regulation, as provided in § 960.52, will tend to effectuate the declared policy of the act. The committee also may recommend modification, suspension, or termination of any regulation in order to facilitate shipments of potatoes for the specified purposes set forth in § 960.53.

**§ 960.52 Issuance of regulations.** The Secretary shall limit the shipment of potatoes whenever he finds from the recommendations and information submitted by the committee, or from other

available information, that such regulation would tend to effectuate the declared policy of the act. Such limitation may:

(a) Regulate, in any or all portions of the production area, the shipment of particular grades, sizes, or qualities of any or all varieties of potatoes during any period; or

(b) Regulate the shipment of particular grades, sizes, or qualities of potatoes differently, for different varieties, for different portions of the production area, for different packs, for washed and unwashed potatoes, or any combination of the foregoing during any period; or

(c) Regulate the shipment of potatoes by establishing, in terms of grades, sizes, or both, minimum standards of quality and maturity.

**§ 960.53 Modification, suspension or termination.** Upon the basis of recommendations and information submitted by the committees, or other available information, the Secretary shall modify, suspend, or terminate regulations issued pursuant to §§ 960.42, 960.43, 960.52, 960.53, 960.55, or any combination thereof, in order to facilitate shipments of potatoes for the following purposes whenever he finds that it will tend to effectuate the declared policy of the act:

- (a) For grading or storage within the production area;
- (b) For seed;
- (c) For export;
- (d) For distribution by the Federal government;
- (e) For manufacture or conversion into specified products;
- (f) For livestock feed; and
- (g) For other purposes which may be specified.

**§ 960.54 Minimum quantity regulation.** The committee, with the approval of the Secretary, may establish, for any or all portions of the production area, minimum quantities below which shipments will be free from regulations issued pursuant to §§ 960.42, 960.43, 960.52, 960.53, 960.55, or any combination thereof.

**§ 960.55 Notification of regulation.** The Secretary shall notify the committee of any regulations issued or of any modification, suspension, or termination thereof. The committee shall give reasonable notice thereof to handlers.

**§ 960.56 Safeguards.** (a) The committee, with the approval of the Secretary, may prescribe adequate safeguards to prevent shipments pursuant to §§ 960.53 and 960.54 from entering channels of trade for other than the specific purpose authorized therefor, and rules governing the issuance and the contents of Certificates of Privilege if such certificates are prescribed as safeguards by the committee. Such safeguards may include requirements that:

(1) Handlers shall file applications with the committee to ship potatoes pursuant to §§ 960.53 and 960.54;

(2) Handlers shall obtain inspection provided by § 960.65 or pay the pro rata share of expenses provided by § 960.42, or both, in connection with potato shipments effected under the provisions of § 960.53: *Provided*, That such inspection

or payment of expenses may be required at different times than otherwise specified by the aforesaid sections; and

(3) Handlers shall obtain Certificates of Privilege from the committee for shipments of potatoes effected or to be effected under the provisions of §§ 960.53 and 960.54.

(b) The committee may rescind or deny Certificates of Privilege to any shipper if proof is obtained that potatoes shipped by him for the purposes stated in §§ 960.53 and 960.54, were handled contrary to the provisions of this subpart.

(c) The Secretary shall have the right to modify, change, alter, or rescind any safeguards prescribed and any certificates issued by the committee pursuant to the provisions of this section.

(d) The committee shall make reports to the Secretary, as requested, showing the number of applications for such certificates, the quantity of potatoes covered by such applications, the number of such applications denied and certificates granted, the quantity of potatoes shipped under duly issued certificates, and such other information as may be requested.

#### INSPECTION

**§ 960.65 Inspection and certification.** During any period in which shipments of potatoes are regulated pursuant to the provisions of §§ 960.42, 960.43, or 960.52, 960.53, or any combination thereof, no handler shall ship potatoes unless each such shipment is inspected by an authorized representative of the Federal-State Inspection Service, or such other inspection service as the Secretary shall designate, except when relieved from such requirement pursuant to §§ 960.53 and 960.54. Each handler procuring such inspection shall make arrangements with the inspecting agency to forward promptly to the committee a copy of the inspection certificate: *Provided*, however, That no handler shall ship potatoes after such potatoes are regraded, resorted, repacked, or in any other way further prepared for market unless each shipment of such potatoes is inspected as provided in this section.

#### EXEMPTIONS

**§ 960.70 Policy.** (a) Any producer whose potatoes have been adversely affected by acts beyond his control or by acts beyond reasonable expectation and who, by reason of any regulation issued pursuant to § 960.52, is prevented from shipping during the season, or a specific portion thereof, as large a proportion of his potato crop as the average proportion shipped or to be shipped during comparable portions of the season by all producers in his immediate area of production, may apply to the committee for exemptions from such regulations for the purpose of obtaining equitable treatment under such regulations.

(b) Any handler who has storage holdings of ungraded potatoes acquired during or immediately following the digging season that have been adversely affected by acts beyond the handler's control or by acts beyond reasonable expectation and who, by reason of any regulation issued pursuant to § 960.52, is prevented

from shipping as large a proportion of his storage holdings of ungraded potatoes as the average proportion of ungraded storage holdings shipped by all handlers in said handler's immediate shipping area, may apply to the committee for exemptions from such regulations for the purpose of obtaining equitable treatment under such regulations.

**§ 960.71 Rules and procedures.** The committee may adopt, with approval of the Secretary, the rules and procedures for handling exemptions. Such rules and procedures should provide for handling applications for exemptions, for issuing certificates of exemption, for committee determinations with respect to areas and averages (as required by § 960.70), and for such other procedures as may be necessary to accomplish policies with respect to exemptions.

**§ 960.72 Applications and issuance.** The committee shall issue certificates of exemption to any qualified applicant who furnishes adequate evidence to such committee:

(a) That the grade, size, or quality of the applicant's potatoes have been adversely affected by acts beyond the applicant's control and by acts beyond reasonable expectation;

(b) That by reason of regulations issued pursuant to § 960.52, in case of an applicant who is a producer, he will be prevented from shipping as large a proportion of his production as the average proportion of production shipped by all producers in said applicant's immediate area of production during the season, or a specific portion thereof;

(c) That by reason of regulations issued pursuant to § 960.52, in case of an applicant who is a handler who has storage holdings of ungraded potatoes acquired during or immediately following the digging season, he will be prevented from shipping as large a proportion of such storage holdings as the average proportion of similar storage holdings shipped by all handlers in said applicant's immediate shipping area during the season;

(d) Each certificate shall permit the recipient thereof to ship the potatoes described thereon, and evidence of such certificates shall be made available to subsequent handlers thereof.

**§ 960.73 Investigation.** The committee shall be permitted at any time to make a thorough investigation of any applicant's claim pertaining to exemptions.

**§ 960.74 Appeals.** If any applicant for exemption certificates is dissatisfied with the determination with respect to his application, said applicant may file an appeal with the committee. Such an appeal must be taken promptly after the determination from which the appeal is taken. Any applicant filing an appeal shall furnish evidence satisfactory to such committee for a determination on the appeal. The committee shall thereupon reconsider the application, examine all available evidence, and make a final determination concerning the application. The committee shall notify the appellant of the final determination, and shall furnish the Secretary with a copy

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of the appeal and a statement of considerations involved in making the final determination.

**§ 960.75 Records.** The committee shall maintain a record of all applications submitted for exemption certificates, a record of all exemption certificates issued and denied, the quantity of potatoes covered by such exemption certificates, a record of the amount of potatoes shipped under exemption certificates, a record of appeals for reconsideration of applications, and such information as may be requested by the Secretary. Periodic reports on such records shall be compiled and issued by the administrative committee upon request of the Secretary.

## MISCELLANEOUS PROVISIONS

**§ 960.80 Reports.** Upon the request of the committee, with approval of the Secretary, every handler shall furnish to the committee, in such manner and at such time as may be prescribed, such information as will enable the committee to exercise its powers and perform its duties under this subpart. The Secretary shall have the right to modify, change, or rescind any requests for reports pursuant to this section.

**§ 960.81 Compliance.** Except as provided in this subpart, no handler shall ship potatoes, the shipment of which has been prohibited by the Secretary in accordance with provisions of this subpart, and no handler shall ship potatoes except in conformity to the provisions of this subpart.

**§ 960.82 Right of the Secretary.** The members of the committee (including successors and alternates), and any agent or employee appointed or employed by the committee, shall be subject to removal or suspension by the Secretary at any time. Each and every order, regulation, decision, determination or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the said committee shall be deemed null and void, except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

**§ 960.83 Effective time.** The provisions of this subpart shall become effective at such time as the Secretary may declare and shall continue in force until terminated in one of the ways specified in this subpart.

**§ 960.84 Termination.** (a) The Secretary may, at any time, terminate the provisions of this subpart by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(b) The Secretary may terminate or suspend the operation of any or all of the provisions of this subpart whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(c) The Secretary shall terminate the provisions of this subpart at the end of any fiscal year whenever he finds that

such termination is favored by a majority of producers, who during the preceding fiscal year, have been engaged in the production for market of potatoes: *Provided*, That such majority has, during such year, produced for market more than fifty percent of the volume of such potatoes produced for market; but such termination shall be effective only if announced at least 30 days prior to the end of the then current fiscal year.

(d) The provisions of this subpart shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

**§ 960.85 Proceedings after termination.** (a) Upon the termination of the provisions of this subpart, the then functioning members of the committee shall continue as trustees, for the purpose of liquidating the affairs of the committee, of all the funds and property then in the possession of or under control of the committee, including claims for any funds unpaid or property not delivered at the time of such termination. Action by said trusteeship shall require the concurrence of a majority of the said trustees.

(b) The said trustees shall continue in such capacity until discharged by the Secretary; shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such person as the Secretary may direct; and shall upon request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant to this subpart.

(c) Any person to whom funds, property, or claims have been transferred or delivered by the committee or its members, pursuant to this section, shall be subject to the same obligations imposed upon the members of the committee and upon the said trustees.

**§ 960.86 Effect of termination or amendment.** (a) Unless otherwise expressly provided by the Secretary, the termination of this subpart or any regulation issued pursuant to this subpart or the issuance of any amendments to either thereof, shall not (1) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this subpart or any regulation issued under this subpart, or (2) release or extinguish any violation of this subpart or of any regulations issued under this subpart or (3) affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violation.

(b) The persons who are members and alternates of the committee established pursuant to Order No. 60, on the effective date of this subpart, shall continue in office under this subpart until the end of the then current fiscal year, and until their successors have been selected and have qualified; and all rules and regulations issued pursuant to Order No. 60, shall continue in effect until terminated

in accordance with their present terms, or until modified, suspended, or terminated by the Secretary in accordance with the provisions of this subpart.

**§ 960.87 Duration of immunities.** The benefits, privileges, and immunities conferred upon any person by virtue of this subpart shall cease upon the termination of this subpart, except with respect to acts done under and during the existence of this subpart.

**§ 960.88 Agents.** The Secretary may, by designation in writing, name any person, including any officer or employee of the Government, or name any bureau or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this subpart.

**§ 960.89 Derogation.** Nothing contained in this subpart is, or shall be construed to be in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or, in accordance with such powers, to act in the premises whenever such action is deemed advisable.

**§ 960.90 Personal liability.** No member or alternate of the committee, nor any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler or to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, or employee, except for acts of dishonesty.

**§ 960.91 Separability.** If any provision of this subpart is declared invalid, or the applicability thereof to any person, circumstances, or thing is held invalid, the validity of the remainder of this subpart, or the applicability thereof to any other person, circumstance, or thing, shall not be affected thereby.

**§ 960.92 Amendments.** Amendments to this subpart may be proposed, from time to time, by the committee or by the Secretary.

[F. R. Doc. 50-7852; Filed, Sept. 6, 1950; 8:52 a. m.]

## [7 CFR, Part 960]

[Docket No. AO-150A-1]

HANDLING OF IRISH POTATOES GROWN IN  
MICHIGAN, WISCONSIN, MINNESOTA,  
NORTH DAKOTA, AND IN CERTAIN COUNTIES  
OF IOWA AND OF INDIANA

ORDER DIRECTING THAT REFERENDUM BE CONDUCTED AMONG PRODUCERS; DETERMINATION OF REPRESENTATIVE PERIOD; DESIGNATING AGENTS TO CONDUCT SUCH REFERENDUM

Pursuant to the applicable provisions of Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 61 Stat. 202, 707; 62 Stat. 1247; 63 Stat. 1051), it is hereby di-

rected that a referendum be conducted among producers who, during the period July 1, 1949, to June 30, 1950, both dates inclusive (which period is hereby determined to be a representative period for the purpose of such referendum), were engaged, in the production area as defined in § 960.4 of Order No. 60, as amended, in the production of Irish potatoes for market, to determine whether such producers approve or favor the issuance of an amended order regulating the handling of Irish potatoes grown therein; and said order, as amended, is annexed to the decision of the Secretary of Agriculture filed simultaneously herewith.

The procedure applicable to this referendum shall be the "Procedure for the Conduct of Referenda Among Producers in Connection with Marketing Orders (Except Those Applicable to Milk and its Products) to Become Effective Pursuant to the Agricultural Marketing Agreement Act of 1937, as Amended" (15 F. R. 5176).

For the purposes of this referendum, the production area defined in § 960.4 of Order No. 60, as amended, means all territory included within the boundaries of the States of Michigan, Wisconsin, Minnesota, North Dakota, the counties of Clay, Emmet, Palo Alto, Pocahontas, Kossuth, Winnebago, Hancock, Wright, Hamilton, Worth, Cerro Gordo, and Mitchell, in the State of Iowa, and Warren, Benton, White, Carroll, Cass, Miami, Wabash, Huntington, Wells, Adams, and all counties lying north thereof, in the State of Indiana.

It is hereby determined for the purposes of this referendum that the aforesaid amended order shall be deemed a marketing order pursuant to the terms of section 4, Public Law 471, 81st Congress, approved March 31, 1950, which states that: "After the enactment of this joint resolution, no price support shall be made available for any Irish potatoes of the 1950 crop with respect to which marketing orders under the Agricultural Marketing Agreement Act of 1937, as amended, have been disapproved by producers."

R. E. Keller, V. A. Ekstrom, S. L. Pobst, E. E. Gallahue, and A. C. Cook, of the Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, are hereby designated as agents of the Secretary of Agriculture to conduct said referendum jointly or severally.

Copies of the text of the aforesaid order may be examined in the Office of the Hearing Clerk, Room 1353, South Building, United States Department of Agriculture, Washington, D. C., and at the county Production and Marketing Administration Office in each of the counties within the specified production area.

Ballots to be cast in the referendum and copies of the text of said order may be obtained from any referendum agent and any appointee hereunder.

(48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 61 Stat. 202, 707; 62 Stat. 1247; 63 Stat. 1051)

<sup>1</sup>See F. R. Doc. 50-7852 *supra*.

Done at Washington, D. C., this 1st day of September 1950.

[SEAL] C. J. MCCORMICK,  
Acting Secretary of Agriculture.

[F. R. Doc. 50-7853; Filed, Sept. 6, 1950;  
8:52 a. m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### I 29 CFR, Part 536 I

#### "AREA OF PRODUCTION"

#### REDEFINITION OF TERM

Section 13 (a) (10) of the Fair Labor Standards Act provides a year-round exemption from both the minimum wage and overtime pay provisions for employees engaged in certain enumerated operations on agricultural or horticultural commodities and in making dairy products. One part of section 7 (c) of the act provides a 14 workweek exemption from the overtime pay provisions alone for employees in a place of employment where their employer is engaged in the first processing of agricultural or horticultural commodities during seasonal operations. Exemption under these provisions is dependent upon whether the employee is employed (section 13 (a) (10)) or whether the employer is engaged in such activities (section 7 (c)) "within the area of production" as that phrase is defined in regulations adopted by the Administrator.

The present definitions of "area of production," which have been in effect since December 1946, follow the guides laid down by the U. S. Supreme Court in the case of *Addison v. Holly Hill* (322 U. S. 607). In that case the Court stated that "area" called for a delimitation of territory in relation to the complicated economic factors that operate between agricultural labor conditions and the labor market of enterprises concerned with agricultural commodities and more or less near their production. The Court also noted the Congressional intent to distinguish between rural communities and urban centers. The present definitions were formulated in conformity with this direction of the Supreme Court after extensive public hearings. The Supreme Court also confirmed the view that it appears clearly to have been the intent of Congress in enacting the law that some employees engaged in these activities must, while others need not, be paid in accordance with the minimum wage and overtime provisions. Some competitive inequalities are therefore inevitable under the statutory provisions.

Representations have recently been made that in particular instances substantial economic discrimination exists as between establishments which meet the requirements of the present definitions and those that do not. In addition, several specific proposals have been received, urging that changes be made in the present definitions to lessen the competitive inequalities that result from this provision of the law.

In view of the representations and requests for redefinition which have been made, particularly since the minimum wage was increased to 75 cents an hour, I have decided to receive and give consideration at this time to specific proposals for changes in the definitions. The purpose of the proposed reconsideration is to attempt to develop a definition which will minimize competitive inequalities and still be in accord with the statutory language and the opinion of the Supreme Court. All proposals received will be studied with a view to holding a public hearing at a later date.

Proposals for changes in the definitions should be addressed to Mr. Wm. R. McComb, Administrator, Wage and Hour and Public Contracts Divisions, Department of Labor Building, Washington 25, D. C. To the extent possible, the proposals should be accompanied by supporting information, including a statement indicating the results which would be achieved if the changes were incorporated in the regulations. The proposals and accompanying statements should be received by the Administrator before October 10, 1950.

Until such time as any revised regulations may become effective, the present definitions of "area of production" will, of course, remain in effect.

Signed at Washington, D. C., this 1st day of September 1950.

WM. R. McCOMB,  
Administrator, Wage and Hour  
and Public Contracts Divi-  
sions.

[F. R. Doc. 50-7836; Filed, Sept. 6, 1950;  
8:50 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION

#### I 47 CFR, Part 20 I

[Docket No. 9749]

#### DISASTER COMMUNICATIONS SERVICE

#### SUPPLEMENTAL NOTICE OF PROPOSED RULE MAKING

1. Notice is hereby given of further proposed rule making in the above-entitled matter.

2. On August 3, 1950, the Commission released a notice of proposed rule making (FCC 50-970)<sup>1</sup> proposing the establishment of a Disaster Communications Service. The provisions of § 20.10 of the proposed new Part 20 permit applications for authorizations to operate in the Disaster Communications Service to be submitted in letter form. It is believed that use of a standardized application form will reduce the possibility of errors and will result in more expedient processing. Accordingly, it is proposed to adopt Form 525, a copy of which is attached<sup>2</sup> as the form to be used in filing applications for authorizations in the Disaster Communications Service.

3. This notice is issued pursuant to authority contained in sections 303 (r)

<sup>1</sup>15 F. R. 5173.

<sup>2</sup>Filed as part of the original document.

## PROPOSED RULE MAKING

and 303 (b) of the Communications Act, as amended.

4. Any interested person who is of the opinion that the proposed form should or should not be adopted, or should not be adopted in the form set forth, may file with the Commission on or before September 15, 1950, a written statement or brief setting forth his comments. The

Commission will consider these written comments and if comments are submitted which appear to warrant the Commission's holding an oral argument, notice of time and place of such oral argument will be given.

5. An original and six copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: August 23, 1950.

Released: August 24, 1950.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] T. J. SLOWIE,  
*Secretary.*

[F. R. Doc. 50-7835; Filed, Sept. 6, 1950;  
8:50 a. m.]

## NOTICES

## DEPARTMENT OF THE TREASURY

Fiscal Service, Bureau of the  
Public Debt

[1950 Dept. Circ. 889]

1 1/4 PERCENT TREASURY NOTES OF SERIES  
F-1951

## OFFERING OF NOTES

SEPTEMBER 5, 1950.

I. *Offering of notes.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions, at par, from the people of the United States for notes of the United States, designated 1 1/4 percent Treasury Notes of Series F-1951, in payment of which any of the following listed Treasury securities, singly or in combinations aggregating \$1,000 or multiples thereof, may be tendered:

## Treasury Certificates of Indebtedness:

1 1/4 percent certificates, Series G-1950, dated September 15, 1949, maturing September 15, 1950.

## Treasury Bonds:

2 percent bonds of 1950-52, dated April 15, 1943, due September 15, 1952, called for redemption September 15, 1950.

2 1/2 percent bonds of 1950-52, dated September 15, 1938, due September 15, 1962, called for redemption September 15, 1950.

II. *Description of notes.* 1. The notes will be dated September 15, 1950, and will bear interest from that date at the rate of 1 1/4 percent per annum, payable with the principal at maturity on October 15, 1951. They will not be subject to call for redemption prior to maturity.

2. The income derived from the notes shall be subject to all taxes, now or hereafter imposed under the Internal Revenue Code, or laws amendatory or supplementary thereto. The notes shall be subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but shall be exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The notes will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer notes will be issued in denominations of \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. The notes will not be issued in registered form.

5. The notes will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States notes.

III. *Subscription and allotment.* 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Treasury Department, Washington. Banking institutions generally may submit subscriptions for account of customers, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies.

2. The Secretary of the Treasury reserves the right to reject any subscription, in whole or in part, to allot less than the amount of notes applied for, and to close the books as to any or all subscriptions at any time without notice; and any action he may take in these respects shall be final. Subject to these reservations, all subscriptions will be allotted in full. Allotment notices will be sent out promptly upon allotment.

IV. *Payment.* 1. Payment at par for notes allotted hereunder must be made on or before September 15, 1950, or on later allotment, and may be made only in Treasury Certificates of Indebtedness of Series G-1950, maturing September 15, 1950, or in 2 percent Treasury Bonds of 1950-52 or 2 1/2 percent Treasury Bonds of 1950-52, both called for redemption September 15, 1950, which will be accepted at par, and should accompany the subscription. The full year's interest on the certificates surrendered will be paid to the subscriber following acceptance of the certificates. Final interest due September 15 on bonds surrendered will be paid, in the case of coupon bonds, by payment of September 15, 1950 coupons, which should be detached by holders before presentation of the bonds, and in the case of registered bonds, by checks drawn in accordance with the assignments on the bonds surrendered.

V. *Assignment of registered bonds.* 1. 2 percent Treasury Bonds of 1950-52 or 2 1/2 percent Treasury Bonds of 1950-52 in registered form tendered in payment for notes offered hereunder should be assigned by the registered payees or assignees thereof to "The Secretary of the Treasury for exchange for Treasury Notes of Series F-1951 to be delivered to \_\_\_\_\_", in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, and thereafter should be presented and surrendered with the subscription to a Federal Reserve Bank or Branch or to the Treasury Department,

Division of Loans and Currency, Washington, D. C. The bonds must be delivered at the expense and risk of the holders.

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective districts, to issue allotment notices, to receive payment for notes allotted, to make delivery of notes on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive notes.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL] JOHN W. SNYDER,  
*Secretary of the Treasury.*

[F. R. Doc. 50-7848; Filed, Sept. 6, 1950;  
8:51 a. m.]

## DEPARTMENT OF COMMERCE

## Federal Maritime Board

MEMBER LINES OF ASSOCIATED STEAMSHIP  
LINES (MANILA) CONFERENCE ET AL.

## NOTICE OF AGREEMENTS FILED FOR APPROVAL

Notice is hereby given that the following described agreements have been filed with the Board for approval pursuant to Section 15 of the Shipping Act, 1916, as amended:

Agreement No. 5600-16, between the member lines of the Associated Steamship Lines (Manila) Conference, modifies the basic agreement of said conference (No. 5600), (1) to provide that only those members who have berthed and loaded a vessel in the Philippine Islands within the preceding six months, rather than within the preceding three months as presently provided in the agreement, shall be entitled to vote on matters pertaining to rates, rules and regulations, (2) to provide that adoption of general matters shall require two-thirds affirmative vote of the total membership vote, instead of majority vote of members present at a meeting as now provided in the agreement, and (3) to include provisions clarifying the voting provisions of the agreement.

Agreement No. 57-32 covers the admission of Waterman Steamship Corpo-

ration to associate membership in the Pacific Westbound Conference. As an associate member the Waterman Steamship Corporation will have no vote in conference affairs, but will be permitted to participate in conference contracts with shippers, and will be exempted from posting of the usual surety bond.

Agreement No. 7773, between Aktiebolaget Svenska Amerika Linjen, Rederiaktiebolaget Transatlantic, Aktiebolaget Transmarin, Rederiaktiebolaget Helsingborg, and Wilhelmsens Dampskebsaktieselskab, A/S Den Norska Afrika-og Australielinie, A/S Tonsberg, A/S Tankfart I, A/S Tankfart IV, A/S Tankfart V and A/S Tankfart VI, provides for transportation of woodpulp and wallboard under contract for joint account at agreed rates in the trade from Swedish Baltic ports, north of and including Gefle district, to U. S. North Atlantic ports, north of Cape Hatteras, and for apportionment of such cargo between the parties in specified percentages.

Interested parties may inspect these agreements and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice, written statements with reference to any of the agreements and their position as to approval, disapproval, or modification together with request for hearing should such hearing be desired.

Dated: September 1, 1950.

By order of the Federal Maritime Board.

[SEAL]

A. J. WILLIAMS,  
Secretary.

[F. R. Doc. 50-7834; Filed, Sept. 6, 1950;  
8:50 a. m.]

## DEPARTMENT OF LABOR

### Wage and Hour Division

#### EMPLOYMENT OF LEARNERS

#### NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1068, as amended; 29 U. S. C. and Sup. 214), and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in those regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheep-Lined Garments

Divisions of the Apparel Industry, Learner Regulations (29 CFR 522.160 to 522.165; as amended, January 25, 1950 (15 F. R. 399)).

Allied Manufacturing Co. of New Bedford, Inc., 85 Coggeshell Street, New Bedford, Mass., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (boys' sport and dress shirts).

Angelico Uniform Co., Winfield, Mo., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (washable service apparel).

Apo Manufacturing Co., 1346 Milwaukee Avenue, Chicago, Ill., effective 8-22-50 to 4-30-51; 10 percent normal labor turnover (infants' wear).

The Badger Raincoat Co., 209-211 Franklin Street, Port Washington, Wis., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (sport jackets).

Barry Sportswear Inc., 455 Shrewsbury Street, Worcester, Mass., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (dresses).

Berko Manufacturing Co., 1933 South Halsted Street, Chicago, Ill., effective 8-22-50 to 4-30-51; 10 percent normal labor turnover (women's dresses).

The Davidson Bros. Corp., Royal Square, West Warwick, R. I., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (ladies' slips, nightgowns, and petticoats).

The Davidson Bros. Corp., Royal Square, West Warwick, R. I., effective 8-25-50 to 4-30-51; 34 learners for expansion purposes (ladies' slips, nightgowns, and petticoats).

E. & W. Garments, Inc., Dress Factory, Vicksburg, Miss., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (dresses).

Eckbro Manufacturing Co., 217 North Desplaines Street, Chicago 6, Ill., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (dungarees).

Fashion Robe Co., 100 Pennsylvania Avenue, Bangor, Pa., effective 8-22-50 to 4-30-51; 10 percent normal labor turnover (Ladies' blouses).

Iron King Overall Co., 113 South Hanover Street, Baltimore, Md., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (overalls, dungarees).

Judy Dress Manufacturing Co., 500 Race Street, Harrisburg, Pa., effective 8-23-50 to 4-30-51; 12 learners (dresses).

Kaylon, Inc., 5 North Haven Street, Baltimore, Md., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (sleepwear).

Laros Textiles Co., East Broad and Wood Streets, Bethlehem, Pa., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (women's lingerie and blouses).

Lebanon Shirt Co., Inc., Richton, Miss., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (men's sport shirts).

LeMondre Corset Co., 902 Lapeer Street, Saginaw, Mich., effective 8-22-50 to 4-30-51; 10 percent normal labor turnover (women's foundations garments).

Luzerne Sportswear, Inc., 421 N. Pennsylvania Ave., Wilkes-Barre, Pa., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (cotton dresses).

Midwest Pants & Sportswear Co., Covington, Ind., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (men's pants).

Puritan Foundations, Inc., Portage, Pa., effective 8-23-50 to 3-31-51; 10 percent normal labor turnover (brassieres).

Puritan Foundations, Inc., Portage, Pa., effective 8-23-50 to 3-31-51; 30 learners for expansion purposes (brassieres).

Jack Rappaport Co., Inc., 935 Washington Street, Peekskill, N. Y., effective 8-25-50 to 3-31-51; 10 percent normal labor turnover (gowns and slips).

Jack Rappaport Co., Inc., 935 Washington Street, Peekskill, N. Y., effective 8-25-50 to 3-31-51; 10 learners for expansion purposes (gowns and slips).

Service Uniforms Inc., 1627 Penn Avenue, Pittsburgh, Pa., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (washable service garments).

Sherrod Shirt Co., North Main Street, High Point, N. C., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (work shirts, sport shirts and pajamas).

Sigmund Eisner Co., 2-40 Bridge Avenue, Red Bank, N. J., effective 7-26-50 to 4-30-51; 25 learners (sportswear and uniforms).

Terre Hill Manufacturing Co., Inc., East Main Street, Terre Hill, Pa., effective 7-25-50 to 4-30-51; 10 percent normal labor turnover (ladies' slips).

Top Notch Manufacturing Co., Inc., 400 South Kansas Street, El Paso, Tex., effective 8-22-50 to 4-30-51; 75 learners for expansion purposes (denim overalls).

Topkis Bros. Co., 101 South Main Street, Winchester, Ky., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (manufacturing sport shirts and pajamas).

Wear Well Garment Co., Inc., New Ulm, Minn., effective 7-25-50 to 4-30-51; 10 percent normal labor turnover (ladies' slacks).

Whitehouse Manufacturing Co., 175 East Michigan Avenue, Three Rivers, Mich., effective 8-21-50 to 4-30-51; 10 percent normal labor turnover (washable service apparel).

Zulicks Underwear Mill, 128 Centre Avenue, Schuylkill Haven, Pa., effective 8-25-50 to 4-30-51; 10 percent normal labor turnover (polo shirts, creepers, and blouses).

Hosiery Learner Regulations (29 CFR 522.40 to 522.51; as revised January 25, 1950 (15 F. R. 283)).

Infants' Socks, Inc., Eufaula, Ala., effective 8-21-50 to 8-20-51; 5 percent of the total number of productive factory workers, not including sales and office personnel.

Independent Telephone Learner Regulations (29 CFR 522.82 to 522.93; as amended January 25, 1950 (15 F. R. 398)).

Viroqua Telephone Co., Viroqua, Wis., effective 8-22-50 to 4-30-51.

Glove Learner Regulations (29 CFR 522.220 to 522.222; as amended January 25, 1950 (15 F. R. 400)).

Frederic H. Burnham Co., Plymouth, Ind., effective 8-15-50 to 10-24-50; three learners (work gloves).

Churchill-Swanson Manufacturing Co., Centralia, Wash., effective 8-18-50 to 10-25-50; 10 learners (work gloves).

Fairfield Glove Co., Bonaparte, Iowa, effective 8-18-50 to 10-24-50; 5 learners (work gloves).

Fairfield Glove Co., Fairfield, Iowa, effective 8-18-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

Hansen Glove Corp., Merrill, Wis., effective 8-22-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (knit fabric).

Hansen Glove Corp., Kiel, Wis., effective 8-22-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (knit fabric).

Hansen Glove Corp., Clintonville, Wis., effective 8-22-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (knit fabric).

Indianapolis Glove Co., Richmond, Ind., effective 8-22-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

Indianapolis Glove Co., Marion, Ind., effective 8-22-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

## NOTICES

Jomac Products, Inc., Warsaw, Ind., effective 8-18-50 to 10-24-50; eight learners (work gloves).

Long Wear Leather Products Co., Des Moines, Iowa, effective 8-22-50 to 10-24-50; one learner (work gloves).

The E. Richard Meinig Co., Reading, Pa., effective 8-22-50 to 10-24-50; 25 learners (knit fabric).

Menominee Glove Co., Menominee, Mich., effective 8-18-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (leather dress gloves).

Milwaukee Glove Co., Milwaukee, Wis., effective 8-22-50 to 10-24-50; three learners (work gloves).

Montpelier Glove Co., Inc., Montpelier, Ind., effective 8-22-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

Wells Lamont Corp., Barry, Ill., effective 8-16-50 to 10-24-50; three learners (work gloves).

Wells Lamont Corp., Elsberry, Mo., effective 8-22-50 to 10-24-50; 10 percent of the total number of workers employed in authorized learner occupations (work gloves).

**Knitted Wear Learner Regulations (29 CFR 522.68 to 522.79; as amended January 25, 1950 (15 F. R. 398)).**

Altamont Knitting Mills, Inc., Wilkes-Barre, Pa., effective 7-26-50 to 4-30-51; 5 percent of the number of productive factory workers, not including office and sales personnel (polo shirts).

The William Carter Co., Gilbertville, Mass., effective 7-25-50 to 3-31-51; 5 percent of the number of productive factory workers, not including office and sales personnel (knitted underwear).

The William Carter Co., Gilbertville, Mass., effective 7-25-50 to 3-31-51; 25 learners for expansion purposes (knitted underwear).

Louis Gallet Knitting Mills, Penn-Craft, East Millboro, Pa., effective 8-25-50 to 4-30-51; 20 learners for expansion purposes (ladies sweaters).

Louis Gallet Knitting Mills, Penn-Craft, East Millboro, Pa., effective 8-25-50 to 4-30-51; 5 percent of the number of productive factory workers, not including office and sales personnel (ladies sweaters).

Rilwood Manufacturing Co., East Station Avenue, Coopersburg, Pa., effective 7-26-50 to 3-31-51; 10 learners for expansion purposes (polo shirts, nightgowns, etc.).

Limerick Knitting Mills, Inc., Limerick, Maine, effective 7-26-50 to 3-31-51; 5 percent of the number of productive factory workers, not including office and sales personnel (knitted outerwear).

Limerick Knitting Mills, Inc., Limerick, Maine, effective 7-26-50 to 3-31-51; 33 learners for expansion purposes (knitted outerwear).

**Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).**

Beaux Arts Co., 114 Beach Street, Rockaway, N. J., effective 8-21-50 to 2-20-51; 25 learners; framing and pleating machine operators (including spot welding), lamp assemblers, 240 hours, 60 cents (manufacturing wire frames, shades and lamps).

Becker Pleating Co., St. Louis, Mo., effective 8-21-50 to 2-20-51; five learners; embroidery machine operator, 480 hours, 60 cents per hour for the first 320 hours and 65 cents for the remaining 160 hours (pleating, embroidery, making ladies belts, etc.).

George F. Brasfield & Co., Inc., Petersburg, Va., effective 8-22-50 to 2-21-51; eight learners; sewing machine operators, 240 hours, 60 cents (cotton table cloths and napkins).

Farnan Manufacturing Co., Inc., Sweeten Creek Road, Asheville, N. C., effective 8-21-50

to 2-20-51; five learners; punch press operators, 240 hours, 60 cents (mica fabricating).

Fashion Embroidery Co., St. Louis, Mo., effective 8-21-50 to 2-20-51; two learners; embroidery machine operator, 480 hours, 60 cents per hour for the first 320 hours and 65 cents for the remaining 160 hours (embroidery and nailhead trim, belts, buttons).

King Engineering, Inc., Kulpsville, Pa., effective 8-28-50 to 12-31-50; one learner; installer, radiant heating, 480 hours, for the first 240 hours—60 cents and the remainder of the 240 hours—65 cents (radiant heating and special machinery).

George C. Moore Co., Greeneville, Tenn., effective 8-17-50 to 2-16-51; three learners; machine operators, tenders, fixers and jobs immediately incidental thereto, 240 hours, 60 cents (elastic braid, etc.).

G. H. Rauschenberg Co., Inc., Dalton, Ga., effective 8-23-50 to 2-22-51; 45 learners; machine operators, 320 hours, 55 cents per hour for the first 160 hours and 65 cents per hour for the remaining 160 hours (tufted bed-spreads and robes).

The Scranton Lace Co., 1313 Meyert Avenue, Scranton, Pa., effective 8-22-50 to 2-21-51; 3 percent of the total number of productive factory workers, not including office personnel; plastic and sewing machine operators, spin winders, 240 hours, 65 cents (lace curtains, dinner cloths, etc.).

Va-do Fabrics, Inc., Centre, Ala., effective 8-21-50 to 2-20-51; 15 learners; machine operators, fixers, tenders, and jobs immediately incidental thereto, 240 hours, 60 cents (loop rugs, cotton).

Virginia Peanut Co., Baltimore, Md., effective 8-18-50 to 2-17-51; 3 learners; candy dipper only, 240 hours, 60 cents (candy).

Waldman Button & Pleating Co., St. Louis, Mo., effective 8-21-50 to 2-20-51; one learner; embroidery machine operator, 480 hours, 60 cents an hour for the first 320 hours and 65 cents for the remaining 160 hours (belts, buckles, etc.).

The following special learner certificates were issued in the Shoe Industry. These certificates authorize the employment of learners in any occupations except custodial, maintenance, supervisory, and office and clerical occupations. The learning period is 480 hours at not less than 65 cents an hour for the first 240 hours and not less than 70 cents an hour for the next 240 hours, except as otherwise indicated in parenthesis.

Nancy Shoe Co., Inc., Hoosick Falls, N. Y., effective 8-28-50 to 10-15-50; 100 learners.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the *FEDERAL REGISTER* pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 30th day of August 1950.

ISABEL FERGUSON,  
Authorized Representative of  
the Administrator.

[F. R. Doc. 50-7800; Filed, Sept. 6, 1950;  
8:45 a. m.]

## EMPLOYMENT OF LEARNERS

## NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (62 Stat. 1068, as amended; 29 U. S. C. and Sup. 214), and Part 522 of the regulations issued thereunder (29 CFR, Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in those regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear and Other Odd Outerwear, Rainwear, Robes and Leather and Sheepskin Garments Divisions of the Apparel Industry, Learner Regulations (29 CFR 522.160 to 522.165; as amended, January 25, 1950 (15 F. R. 399)).

The American Cont Pad Co., 801-07 West Baltimore Street, Baltimore 1, Md., effective 8-18-50 to 4-30-51; 10 percent normal labor turnover (shoulder paddings).

Angelica Uniform Co., Mountain View, Mo., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (washable service apparel).

Annville Products Co., Inc., Church and Kings Streets, Annville, Pa., effective 8-23-50 to 3-31-51; 10 percent normal labor turnover (ladies slips).

Biltmore Manufacturing Co., Inc., Glendale Avenue, Biltmore, N. C., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (sportswear).

Blue Bell, Inc., West Lee and Fuller Streets, Greensboro, N. C., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (coveralls).

Brockton Sportswear Manufacturing Co., 130 Ford Street, Brockton, Mass., effective 8-18-50 to 3-31-51; 10 percent normal labor turnover (sportswear).

H. W. Carter & Sons, Lebanon, N. H., effective 8-21-50 to 4-31-51; 10 percent normal labor turnover (work clothing).

Cowden Manufacturing Co., 420 East Main Street, Springfield, Ky., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (denim dungarees).

Cowden Manufacturing Co., 420 East Main Street, Springfield, Ky., effective 7-26-50 to 3-31-51; 38 learners for expansion (denim dungarees).

Dee-On of Calif., Inc., 918 South Main Street, Los Angeles 15, Calif., effective 8-18-50 to 3-31-51; 10 percent normal labor turnover (women's blouses, shirts, and slacks).

Delaware Dress Manufacturing Co., 16 South Sitgreaves Street, Easton, Pa., effective 8-18-50 to 4-30-51; 10 percent normal labor turnover (dresses).

Ecru Manufacturing Co., New Albany, Miss., effective 8-15-50 to 4-30-51; 10 percent normal labor turnover (cotton work shirts).

Ely & Walker Factory, Salem, Mo., effective 7-26-50 to 3-31-51; 25 learners for expansion (sport shirts, pajamas, shorts, and pillow cases).

Ely & Walker Factory, Salem, Mo., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (sport shirts, pajamas, shorts, and pillow cases).

The Griffin Manufacturing Co., Inc., Main Street, Carlisle, Ky., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (men's woven shorts).

Hoosier Factories, Inc., 209 West Michigan Street, Michigan City, Ind., effective 7-26-50 to 3-31-51; 20 learners for expansion (dress trousers).

Hoosier Factories, Inc., 209 West Michigan Street, Michigan City, Ind., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (dress trousers).

Hudson Garment Co., Inc., 361 Columbia Street, Hudson, N. Y., effective 8-18-50 to 4-30-51; 10 percent normal labor turnover (manufacturing men's heavy outer wear).

Jackson Sportswear, Primrose, Minersville, Pa., effective 8-18-50 to 4-30-51; 10 percent normal labor turnover (blouses).

Alan John Manufacturing Co., 3203 Thirty-third Street, San Diego 4, Calif., effective 8-18-50 to 3-31-51; 10 percent normal labor turnover (men's suits, slacks, and sport coats).

Juvenile Garments, Inc., Vidalia, Ga., effective 8-18-50 to 3-31-51; 10 percent normal labor turnover (play shorts).

Kadet, Kruger & Co., 216 West Adams Street, Chicago, Ill., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (women's apparel).

McAdoo Manufacturing Co., Inc., South Hancock Street, McAdoo, Pa., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (polo shirts).

Mode O'Day Corp., Fourth at Main, Ottawa, Kans., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (cotton dresses).

Mode O'Day Corp., Fourth at Main, Ottawa, Kans., effective 7-26-50 to 3-31-51; 10 learners for expansion (cotton dresses).

Mode O'Day Corp., 146 Southwest Temple, Salt Lake City, Utah, effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (ladies' dresses).

Mode O'Day Corp., 146 Southwest Temple, Salt Lake City, Utah, effective 7-26-50 to 3-31-51; 25 learners for expansion (ladies' dresses).

Nelly Ann Dress Co., Inc., 546 Edgar Street, York, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (dresses).

Nelly Ann Dress Co., Inc., 546 Edgar Street, York, Pa., effective 7-26-50 to 3-31-51; 10 learners for expansion (dresses).

Paramount Robes, Inc., 43 Hempstead Street, New London, Conn., effective 8-18-50 to 3-31-51; 10 percent normal labor turnover (men's robes).

Phillips-Jones Factory, Kane, Pa., effective 7-26-50 to 3-31-51; 20 learners for expansion (dress shirts).

Phillips-Jones Factory, Kane, Pa., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (dress shirts).

Pioneer Manufacturing Co., Inc., 83 Waller Street, Wilkes-Barre, Pa., effective 7-26-50 to 3-31-51; 30 learners for expansion (children's dresses and sunsuits).

Pioneer Manufacturing Co., Inc., 83 Waller Street, Wilkes-Barre, Pa., effective 7-26-50 to 3-31-51; 30 learners for expansion (children's dresses and sunsuits).

Pontotoc Manufacturing Co., New Albany, Miss., effective 8-15-50 to 4-30-51; 10 percent normal labor turnover (cotton work shirts).

Princess-Kent, Inc., Fort Kent, Maine, effective 8-15-50 to 3-31-51; 10 learners (children's nightgowns, robes, and smocks).

Scranton Garment Manufacturing Co., Inc., 1100 Clay Street, Scranton, Pa., effective 8-18-50 to 3-31-51; 10 percent normal labor turnover (mackinaws, pea coats and jackets).

Ben Selviz, Inc., 763 Washington Street, Newtonville, Mass., effective 8-18-50 to 3-31-51; 10 percent normal labor turnover (coats).

"Kay Ashton" Division, Smoler Bros., Inc., Herrin, Ill., effective 7-26-50 to 3-31-51; 135 learners for expansion (dresses).

"Kay Ashton" Division, Smoler Bros., Inc., Herrin, Ill., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (dresses).

Supreme Sportswear Co., Front Street, Roseto, Pa., effective 8-18-50 to 3-31-51; 10 percent normal labor turnover (ladies' blouses).

Ware Knitters of New Hampshire, Berlin, N. H., effective 7-26-50 to 4-30-51; 10 percent normal labor turnover (cotton knit outerwear).

Winsor Manufacturing Co., 44 Hazel Street, Woonsocket, R. I., effective 7-26-50 to 3-31-51; 10 percent normal labor turnover (handkerchiefs).

Hosiery Learner Regulations (29 CFR 522.40 to 522.51; as revised January 25, 1950 (15 F. R. 283)).

Cape Hosiery Inc., Jackson, Mo., effective 8-25-50 to 4-24-51; eight learners.

Chelsea Hosiery Mills, Inc., 144 Pearl Street, Chelsea 50, Mass., effective 8-18-50 to 8-15-51; five learners.

Fine Maid Hosiery Co., Curtis Avenue, Williamstown, N. J., effective 8-16-50 to 4-15-51; three learners.

Gay-Tone Hosiery Mills, Malvern, Pa., effective 8-9-50 to 8-8-51; two learners.

Macon Hosiery Mills, Inc., Macon, Ga., effective 8-25-50 to 4-24-51; fourteen learners.

Melrose Hosiery Mills, Inc., High Point, N. C., effective 8-14-50 to 8-18-51; 5 percent of the total productive factory workers (including sales or office personnel).

Independent Telephone Learner Regulations (29 CFR 522.82 to 522.93; as amended January 25, 1950 (15 F. R. 398)).

Eastern Illinois Telephone Co., Rantoul, Ill., effective 8-18-50 to 4-30-51.

Tioga County Bell Telephone Co., Mansfield, Pa., Effective 8-18-50 to 4-30-51.

Glove Learner Regulations (29 CFR 522.220 to 522.222; as amended January 25, 1950 (15 F. R. 400)).

Brookville Glove Co., Brookville, Pa., effective 8-17-50 to 10-24-50; thirty learners (work gloves).

Brookville Glove Co., Brookville, Pa., effective 8-15-50 to 10-24-50; 10 percent learners (work gloves).

Brookville Glove Co., Indiana, Pa., effective 8-15-50 to 10-24-50; five learners (work gloves).

Frederick H. Burnham Co., Michigan City, Ind., effective 8-18-50 to 10-24-50; 10 percent learners (work gloves).

Double Woven Corp. of America, Inc., Dunmore, Pa., effective 8-14-50 to 10-25-50; 10 percent learners (knit fabric).

Fabry Glove & Mitten Co., Green Bay, Wis., effective 8-15-50 to 10-24-50; one learner (work gloves).

Fox River Glove Co., Inc., Ripon, Wis., effective 8-18-50 to 10-24-50; two learners (work gloves).

Galena Glove & Mitten Co., Dubuque, Iowa, effective 8-15-50 to 10-24-50; five learners (work gloves).

The Glove Corp., Alexandria, Ind., effective 8-14-50 to 10-24-50; five learners (work gloves).

Hanover Glove Co., Inc., Hanover, Pa., effective 8-15-50 to 10-24-50; 10 percent learners (work gloves).

Louisville Glove Co., Louisville, Ky., effective 8-15-50 to 10-24-50; two learners (work gloves).

Marso & Rodenborn, 700 First Avenue North, Fort Dodge, Iowa, effective 8-18-50 to 10-24-50; seven learners (work gloves) supplemental certificate.

Martins Ferry Glove Co., Inc., Uhrichsville, Ohio, effective 8-15-50 to 10-24-50; five learners (work gloves).

Morrison-Shults Manufacturing Co., Orinell, Iowa, effective 8-15-50 to 10-25-50; three learners (leather dress).

Mount Sterling Mfg. Co., Mt. Sterling, Ohio, effective 8-15-50 to 10-24-50; 10 percent learners (work gloves).

Nation Wide Manufacturing Co., Pontiac, Ill., effective 8-18-50 to 10-24-50; four learners (work gloves).

Noro Co., Inc., St. Louis, Mo., effective 8-18-50 to 10-24-50; four learners (knit fabric).

North Star Manufacturing Co., Tacoma, Wash., effective 8-16-50 to 10-24-50; 10 percent learners (work gloves).

Richmond Glove Corp., Richmond, Ind., effective 8-18-50 to 10-24-50; 10 percent learners (work gloves).

Southern Glove Manufacturing Co., Conover, N. C., effective 8-18-50 to 10-24-50; 10 percent learners (work gloves).

The Tex-Sun Glove Co., Inc., Corsicana, Tex., effective 8-15-50 to 10-24-50; 10 percent learners (work gloves).

Western Glove Co., Orting, Wash., effective 8-16-50 to 10-24-50; 10 percent learners (work gloves).

Wool Products Industries, Inc., St. Paul, Minn., effective 8-17-50 to 10-24-50; three learners (knit fabric).

Knitted Wear Learner Regulations (29 CFR 522.68 to 522.79; as amended January 25, 1950 (15 F. R. 398)).

The Atlas Underwear Co., Piqua, Ohio, effective 7-25-50 to 3-31-51; 5 percent learners (knit underwear).

Burlington Manufacturing Co., Inc., Waymart, Pa., effective 8-10-50 to 3-31-51; 5 percent learners (children's cotton knitted outerwear).

Crown Knitting Mills, Inc., Mohreville, Pa., effective 7-25-50 to 3-31-51; 5 percent learners (knit underwear).

Delaware Textile Co., Inc., Middletown, Del., effective 8-10-50 to 3-31-51; 2 learners (underwear, gloves, dress fabrics, etc.).

Denton Sleeping Garment Mills, Inc., Three Rivers, Mich., effective 7-25-50 to 3-31-51; 2 learners (infant's and children's knit sleeping garments).

E-Z Mills, Inc., Bennington, Vt., effective 7-25-50 to 3-31-51; 5 percent learners (knitted underwear and sportswear).

Geissler Knitting Mill, Hazleton, Pa., effective 7-25-50 to 3-31-51; 5 percent learners (sweaters, T shirts, etc.).

The Globe Underwear Co., Shoemakersville, Berks County, Pa., effective 7-25-50 to 3-31-51; 5 percent learners (men's briefs and athletic shirts).

Gloray Knitting Mills, Robesonia, Berks County, Pa., effective 7-25-50 to 3-31-51; 5 percent learners (knitted outerwear).

Greyhill Manufacturing Corp., York, Pa., effective 7-25-50 to 3-31-51; 5 percent learners (cotton knit outerwear).

Joseph B. Haber, Inc., Philadelphia, Pa., effective 7-25-50 to 3-31-51; 5 percent learners (knitted outerwear).

Hamburg Knitting Mill and Bleach Works, Hamburg, Pa., effective 8-10-50 to 3-31-51; 5 percent learners (knitted underwear).

Julius Kayser & Co., Sterling Plant, Bangor, Pa., effective 7-21-50 to 3-31-51; 5 percent learners (knit underwear).

Louis Meyers & Son, Inc., Allentown, Pa., effective 8-15-50 to 10-24-50; 5 percent learners (knit fabric).

Walter W. Meyer Co., Ephrata, Pa., effective 7-20-50 to 3-31-51; 5 percent learners (knitted underwear).

Nazareth Mills, Inc., Nazareth, Pa., effective 7-26-50 to 3-31-51; 5 percent learners (knit underwear).

Sondra Undergarments Inc., Allentown, Pa., effective 8-18-50 to 3-31-51; 5 percent learners (ladies knitted and nylon panties).

## NOTICES

Spencer Manufacturing Co., Spencer, W. Va., effective 7-25-50 to 3-31-51; 5 percent learners (sweaters).

Stratford Knitting Mills, Inc., Linfield, Pa., effective 8-10-50 to 3-31-51; 5 percent learners (ladies rayon underwear).

The Worcester Knitting Co., 90 Franklin Street, Worcester, Mass., effective 8-16-50 to 3-31-51; 5 percent learners (knitted fabrics).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

Cameo Curtains of New Bedford, Inc., Riverside Avenue and Manomet Street, New Bedford, Mass., effective 8-21-50 to 2-20-51; 175 learners; sewing machine operators, 240 hours, 65 cents (manufacturing curtains).

Colonial Brush Manufacturing Co., Inc., Boston, Mass., effective 7-26-50 to 1-27-51; six learners; brush maker, 320 hours, 65 cents (manufacturing paint brushes).

Colonial Felt Mills, St. Paul, Minn., effective 8-21-50 to 2-20-51; two learners; felt rug weaver and sewer, 240 hours, 60 cents (felt rugs).

Dapol Plastics, Inc., Worcester, Mass., effective 8-14-50 to 2-13-51; 5 learners; cements, 160 hours, 65 cents (manufacturing plastic products).

Fort Scott Pottery Co., Fort Scott, Kans., effective 8-9-50 to 2-8-51; five learners; pottery finishers and decorators, 320 hours, 60 cents (pottery manufacturing).

Gholdston Basket Factory, West Main Street, Dayton, Tenn., effective 8-16-50 to 2-15-51; five learners; berry box making, 240 hours, 60 cents (manufacturing market baskets).

Ideal Embroidery Co., St. Louis, Mo., effective 7-25-50 to 1-24-51; three learners; embroidery machine operators, 480 hours, 60 cents per hour for the first 320 hours and 65 cents per hour for the remaining 160 hours (embroidery of letters on shirts, etc.).

Industrial Coils, Inc., Baraboo, Wis., effective 8-24-50 to 2-23-51; 10 learners; coil winding, adjusting, soldering and machine operating, 480 hours, 65 cents for the first 320 hours and not less than 70 cents for the remaining 160 hours (manufacturing magnetic windings).

George C. Moore Co., Greenville, Tenn., effective 8-17-50 to 2-16-51; three learners; machine operators, tenders, fixers and jobs immediately incidental thereto, 240 hours, 60 cents (manufacturing elastic braid).

Pilgrim Curtain Co., Inc., Fall River, Mass., effective 8-21-50 to 2-20-51; three learners; sewing machine operator, 240 hours, 60 cents (draperies and curtains).

Quaker Hair Goods Co., 1920 South Street, Philadelphia 46, Pa., effective 7-26-50 to 1-25-51; two learners; wig makers, 480 hours, 60 cents for the first 320 hours and not less than 65 cents for the remaining 160 hours (manufacturing and distributing beauty products).

R. S. L. Shuttlecock Co., Altoona, Pa., effective 7-27-50 to 1-26-51; 10 learners; shuttlecock makers, 320 hours, 60 cents (badminton shuttlecocks) replacement certificate.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these Certificates may seek a review or reconsideration thereof within fifteen days after publication of this no-

tice in the *FEDERAL REGISTER* pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 30th day of August 1950.

ISABEL FERGUSON,  
Authorized Representative of  
the Administrator.

[F. R. Doc. 50-7801: Filed, Sept. 6, 1950;  
8:45 a. m.]

## FEDERAL POWER COMMISSION

[Docket No. E-6310]

## CALIFORNIA ELECTRIC POWER CO.

## NOTICE OF APPLICATION

AUGUST 31, 1950.

Take notice that on August 28, 1950, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by California Electric Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of Nevada and California, with its principal business office at Riverside, California; seeking an order authorizing the issuance of 40,000 shares of 5 percent Cumulative Preferred Stock, par value \$50 per share, or a total par value of \$2,000,000, and also seeking exemption from the Commission's competitive bidding rule. Applicant proposes to dispose of the stock at par through a negotiated private sale to a small group of insurance companies, with the investment banking firm of Merrill Lynch, Pierce, Fenner & Beane to receive a finder's fee of 1 percent of the aggregated par value, or \$20,000; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 18th day of September 1950, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

[SEAL]

LEON M. FUQUAY,  
Secretary.

[F. R. Doc. 50-7814: Filed, Sept. 6, 1950;  
8:47 a. m.]

## FEDERAL SECURITY AGENCY

## Public Health Service

PROMULGATION OF STATE ALLOTMENT  
PERCENTAGES

Pursuant to sections 631 (a) and (b) of title VI of the Public Health Service Act as amended by the Hospital Survey and Construction Act (Public Law 725, 79th Congress), as amended, and having found that the three most recent consecutive years for which satisfactory data are available from the Department of Commerce on the per capita incomes of States and of the continental United States are the years 1947, 1948, and 1949, the following allotment percentages for the several States, Alaska, Hawaii, Puerto Rico, the District of Columbia, and the Virgin Islands, determined pursuant to said Act and on the basis of said data, are hereby promulgated for two fiscal years in the period beginning July 1, 1951:

Alabama	70.16
Alaska	53.00
Arizona	56.80
Arkansas	70.26
California	33.09
Colorado	49.84
Connecticut	39.35
Delaware	39.56
District of Columbia	35.72
Florida	58.44
Georgia	66.74
Hawaii	50.00
Idaho	52.54
Illinois	39.33
Indiana	50.85
Iowa	50.68
Kansas	53.28
Kentucky	67.52
Louisiana	64.76
Maine	53.30
Maryland	46.67
Massachusetts	46.88
Michigan	45.71
Minnesota	52.98
Mississippi	74.28
Missouri	52.58
Montana	41.86
Nebraska	50.22
Nevada	36.00
New Hampshire	55.12
New Jersey	41.86
New Mexico	62.92
New York	34.72
North Carolina	67.62
North Dakota	46.18
Ohio	45.51
Oklahoma	61.84
Oregon	43.58
Pennsylvania	47.27
Puerto Rico	75.00
Rhode Island	47.50
South Carolina	70.10
South Dakota	49.13
Tennessee	66.99
Texas	57.00
Utah	54.91
Vermont	58.62
Virginia	60.71
Virgin Islands	75.00
Washington	46.30
West Virginia	61.64
Wisconsin	49.79
Wyoming	45.00

Dated: August 28, 1950.

[SEAL] LEONARD A. SCHEELE,  
Surgeon General.

Approved: Sept 1, 1950.

JOHN L. THURSTON,  
Acting Federal Security  
Administrator.

[F. R. Doc. 50-7833: Filed, Sept. 6, 1950;  
8:50 a. m.]

## GENERAL SERVICES ADMINISTRATION

## Public Buildings Service

[Wildlife Order 16]

## TRANSFER OF PROPERTY KNOWN AS CAMP ADAIR, OREGON (W-ORE. 1-c-d), TO THE STATE OF OREGON

Pursuant to the authority granted under Public Law 537, Eightieth Congress, notice is hereby given that:

1. By deed from the United States of America, dated March 22, 1950, to the

State of Oregon, a portion of that property known as Camp Adair, Oregon, and more particularly described in such deed, has been transferred from the United States to the State of Oregon.

2. The above described property is transferred to the State of Oregon for wildlife conservation purposes (other than migratory birds) in accordance with the provisions of said Public Law 537.

JESS LARSON,  
Administrator of General Services.

AUGUST 31, 1950.

[F. R. Doc. 50-7804; Filed, Sept. 6, 1950;  
8:45 a. m.]

[Wildlife Order 17]

**TRANSFER OF PROPERTY KNOWN AS FORT STEVENS, OREGON (W-ORE-55), TO THE STATE OF OREGON**

Pursuant to the authority granted under Public Law 537, Eightieth Congress, notice is hereby given that:

1. By deed from the United States of America, dated April 21, 1950, to the State of Oregon, a portion of that property known as Fort Stevens, Oregon, and more particularly described in such deed, has been transferred from the United States to the State of Oregon.

2. The above described property is transferred to the State of Oregon for wildlife conservation purposes (other than migratory birds) in accordance with the provisions of said Public Law 537.

JESS LARSON,  
Administrator of General Services.

AUGUST 31, 1950.

[F. R. Doc. 50-7805; Filed, Sept. 6, 1950;  
8:46 a. m.]

[Wildlife Order 18]

**TRANSFER OF PROPERTY KNOWN AS FARRAGUT NAVAL TRAINING CENTER (N-IDaho-5), TO THE STATE OF IDAHO**

Pursuant to the authority granted under Public Law 537, Eightieth Congress, notice is hereby given that:

1. By deed from the United States of America, dated December 19, 1949, to the State of Idaho, a portion of that property known as Farragut Naval Training Center, Idaho, and more particularly described in such deed, has been transferred from the United States to the State of Idaho.

2. The above described property is transferred to the State of Idaho for wildlife conservation purposes (other than migratory birds) in accordance with the provisions of said Public Law 537.

JESS LARSON,  
Administrator of General Services.

AUGUST 31, 1950.

[F. R. Doc. 50-7806; Filed, Sept. 6, 1950;  
8:46 a. m.]

[Wildlife Order 19]

**TRANSFER OF PROPERTY KNOWN AS UTAH ORDNANCE DEPOT (W-UTAH-16) TO THE STATE OF UTAH**

Pursuant to the authority granted under Public Law 537, Eightieth Congress, notice is hereby given that:

1. By deed from the United States of America, dated July 26, 1950, to the State of Utah, a portion of that property known as Utah Ordnance Depot, Utah, and more particularly described in such deed, has been transferred from the United States to the State of Utah.

2. The above described property is transferred to the State of Utah for wildlife conservation purposes (other than migratory birds) in accordance with the provisions of said Public Law 537.

JESS LARSON,  
Administrator of General Services.

AUGUST 31, 1950.

[F. R. Doc. 50-7807; Filed, Sept. 6, 1950;  
8:46 a. m.]

**HOUSING AND HOME FINANCE AGENCY**

**Federal Housing Administration**

**DELEGATION OF AUTHORITY AND ASSIGNMENT OF DUTIES**

Sections 11, 12, 13 and 14 are hereby amended to read as follows:

**Sec. 11. Citation of authority.** Section 1 of Title I of the National Housing Act provides in part as follows:

\* \* \* In order to carry out the provisions of this title and titles II, III, VI, VII and VIII, the Commissioner may establish such agencies, accept and utilize such voluntary and uncompensated services, utilize such Federal officers and employees, and, with the consent of the State, such State and local officers and employees, and appoint such other officers and employees as he may find necessary, and may prescribe their authorities, duties, responsibilities, and tenure and fix their compensation, without regard to the provisions of other laws applicable to the employment or compensation of officers or employees of the United States. The Commissioner may delegate any of the functions and powers conferred upon him under this title and titles II, III, VI, VII and VIII to such officers, agents, and employees as he may designate or appoint \* \* \*

Section 3 of Reorganization Plan No. 3 of 1947, effective July 27, 1947, provides in part as follows:

**Federal Housing Administration.** The Federal Housing Administration shall be headed by a Federal Housing Commissioner \* \* \*. There are transferred to said Commissioner the functions of the Federal Housing Administrator.

**Sec. 12. Designation of Acting Commissioner.** Pursuant to the authority cited in section 11 of this order, I hereby designate the officials of the Federal Housing Administration named below in this section to act in my place and stead with the title of "Acting Commissioner" with all of the powers, duties and rights conferred upon me by the National Housing Act, as amended, Reorganization Plan No. 3 of 1947, by any other act

of Congress or by any Executive order, in the event of my absence, illness or inability to act, provided that no official named below shall have authority to act as "Acting Commissioner" unless all those whose names appear before his are absent from their official post or unable to act:

1. Walter L. Greene, Deputy Commissioner.
2. Burton C. Bovard, General Counsel.
3. Donald M. Alstrup, Assistant to the Commissioner.
4. Herbert C. Redman, Assistant Commissioner, Field Operations.
5. Curt C. Mack, Assistant Commissioner, Underwriting.
6. Clyde L. Powell, Assistant Commissioner, Rental Housing.
7. Warren J. Lockwood, Assistant Commissioner, Cooperative Housing.
8. Arthur J. Frentz, Assistant Commissioner, Title I.

**Sec. 13. Specific delegations to named positions.** Pursuant to the authority cited in section 11 of this order, the following assignment of duties and delegations of functions and powers are hereby made:

- (a) To the position of Deputy Commissioner:
  - (1) To assist the Commissioner in the general administration of the Administration, and to be responsible to the Commissioner for the general supervision and coordination of all operations.
  - (2) To approve organizational changes.
  - (3) To the position of Assistant Commissioner, Field Operations:
    - (1) To approve or cancel the approval of financial institutions as approved mortgagees, insured institutions, or approved lenders.
    - (2) To issue commitments for insurance and to execute insurance contracts pursuant to such commitments.
    - (3) To approve a change in amount, a change of the term, or any other modification of commitments for insurance or of insurance contracts.
    - (4) To consent to the release of mortgagors.
    - (5) To consent to the release of portions of the mortgaged property from the lien of the mortgage.
    - (6) To approve the insurance of mortgages taken as security in connection with the sale of all properties conveyed to the Federal Housing Commissioner, including the authority to determine the value of such properties and facts relating to the eligibility of such mortgages for insurance.
    - (7) To execute Certificates of Claim and requisitions to the Treasury Department for the issuance of debentures.
    - (8) To execute assignments, releases or satisfactions of mortgages taken by the Commissioner as security in connection with the sale of acquired properties.
    - (9) In connection with the sale of properties conveyed to the Commissioner to execute in my official name, as my agent, all deeds or other documents or instruments in connection with the con-

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veyances of title thereto and deeds of release, assignments, or satisfactions of mortgages, deeds of trust, or other liens taken as security in connection therewith.

(10) To execute the power and authority vested in the Commissioner under Section IV of the Regulations governing property and obligations held by the Federal Housing Commissioner and approved by the Secretary of the Treasury.

(11) To direct the administration of Field offices and to initiate and recommend to the Commissioner policies and procedures with respect thereto.

(12) To issue Property Eligibility Statements or Commitments or any similar forms which may be provided in connection with new home loans under Regulations issued pursuant to Title I of the National Housing Act.

(13) To reject or accept for insurance loans or advances of credit made under the provisions of section 2 of Title I that require the prior approval of the Federal Housing Commissioner.

(14) To execute applications or other documents in connection with any functions which the Federal Housing Administration may perform for any other agency or agencies of the United States.

(15) With respect to section 609, to issue commitments for insurance and to execute insurance contracts pursuant to such commitments; to approve changes in amount, changes in term, or any other modifications of commitments for insurance or of insurance contracts; to consent to the release of part or parts of property delivered as security for insured loans; to exercise the authority of the Commissioner under the Administrative Rules and Regulations under section 609 in any instance requiring the approval of the Commissioner; to execute in my name proofs of claim against bankrupt, insolvent or decedent estates; and to exercise the power and authority vested in the Commissioner under section 609 (g) of Title VI of the act.

(16) To approve the sale and terms of sale of mortgages taken as security in connection with the sale of property conveyed to the Federal Housing Commissioner under all Sections of the Act other than sections 207, 213, 608, Title VII and Title VIII.

(c) To the position of Assistant Commissioner, Underwriting, and (except with respect to the authority contained in subdivisions 3 and 4 hereunder) under his general supervision to the Deputy Assistant Commissioner, Underwriting:

(1) To be responsible to the Commissioner for all mortgage underwriting activities, including valuation of realty, land planning, architecture and credit analyses, analyses of locations, subdivisions and areas and construction cost determination.

(2) To plan, supervise, instruct in and review the work of the technical programs and procedures, including: the establishment of eligibility requirements as to property standards, minimum construction requirements and new methods of dwelling construction for projects insured by the Federal Housing Administration; cooperation with industry and governmental agencies in the develop-

ment of engineering methods, materials, mechanical equipment and architectural planning and design. Dissemination to the field offices and to the public of technical material on planning and construction; preparation of estimates and other studies on the use of materials.

(3) To execute the power and authority vested in the Commissioner under Section IV of the Regulations governing property and obligations held by the Federal Housing Commissioner and approved by the Secretary of the Treasury.

(4) In connection with the sale of properties conveyed to the Commissioner to execute in my official name, as my agent, all deeds or other documents or instruments in connection with the conveyance of title thereto and deeds of release, assignments, or satisfactions of mortgages, deeds of trust, or other liens taken as security in connection therewith.

(d) To the position of Assistant Commissioner, Rental Housing, and (except with respect to the authority contained in subdivisions 7 and 8 hereunder) under his general supervision to the position of Deputy Assistant Commissioner, Rental Housing:

(1) To issue commitments for insurance and to execute insurance contracts under sections 207, 608, Title VII, and Title VIII, and any agreements or instruments required in connection therewith.

(2) To approve the increase in amount, the extension of term, or any other modification of commitments for insurance or of insurance contracts under sections 207, 210, 608, Title VII and Title VIII.

(3) To approve or disapprove "change orders" during construction.

(4) To approve or cancel the approval of financial institutions as approved mortgagees, insured institutions or approved lenders.

(5) To consent to the release of mortgagors and to the release of portions of the mortgaged property from the lien of the mortgage.

(6) To approve or disapprove for insurance advances of mortgage money during construction, and to execute such instruments as may be necessary in connection therewith.

(7) In connection with the sale of properties conveyed to the Commissioner, to execute in my official name, as my agent, all deeds or other documents or instruments in connection with the conveyance of title thereto, and deeds of release, assignments or satisfactions of mortgages, deeds of trust or other liens taken as security in connection therewith.

(8) To execute the power and authority vested in the Commissioner under section IV of the Regulations governing property and obligations held by the Federal Housing Commissioner and approved by the Secretary of the Treasury.

(9) To execute Certificates of Claim and requisitions to the Treasury Department for the issuance of debentures.

(f) To the position of Assistant Commissioner, Title I, and (except as specified in subdivisions 4 and 5 hereunder) under his general supervision to the Deputy Assistant Commissioner, Title I, with respect to the insurance of loans or advances of credit made under section 2 of Title I of the National Housing Act:

(1) To approve or cancel the approval of financial institutions as approved mortgagees, insured institutions or approved lenders.

(2) To issue and cancel Contracts of Insurance under Title I and to transfer such contracts and the rights and benefits accruing thereto between lending institutions.

(10) To approve the insurance of mortgages taken as security in connection with the sale of all properties conveyed to the Federal Housing Commissioner, including the authority to determine the value of such properties and facts relating to the eligibility of such mortgages for insurance.

(11) To approve the modification in the terms of, and authorize the foreclosure of, mortgages assigned to the Federal Housing Commissioner in exchange for debentures.

(e) To the position of Assistant Commissioner, Cooperative Housing and (except as to the authority contained in paragraphs 7 and 8 hereunder) under his general supervision to the position of Deputy Assistant Commissioner, Cooperative Housing, with respect to the insurance of mortgages under section 213 of the National Housing Act:

(1) To issue commitments for insurance and to execute insurance contracts and any agreements or instruments required in connection therewith.

(2) To approve the increase in amount, the extension of term, or any other modifications of commitments for insurance or of insurance contracts.

(3) To approve or disapprove "change orders" during construction.

(4) To approve or cancel the approval of financial institutions as approved mortgagees, insured institutions or approved lenders.

(5) To consent to the release of mortgagors and to the release of portions of the mortgaged property from the lien of the mortgage.

(6) To approve or disapprove for insurance advances of mortgage money during construction, and to execute such instruments as may be necessary in connection therewith.

(7) In connection with the sale of properties conveyed to the Commissioner, to execute in my official name, as my agent, all deeds or other documents or instruments in connection with the conveyance of title thereto, and deeds of release, assignments or satisfactions of mortgages, deeds of trust or other liens taken as security in connection therewith.

(8) To execute the power and authority vested in the Commissioner under section IV of the Regulations governing property and obligations held by the Federal Housing Commissioner and approved by the Secretary of the Treasury.

(9) To execute Certificates of Claim and requisitions to the Treasury Department for the issuance of debentures.

(f) To the position of Assistant Commissioner, Title I, and (except as specified in subdivisions 4 and 5 hereunder) under his general supervision to the Deputy Assistant Commissioner, Title I, with respect to the insurance of loans or advances of credit made under section 2 of Title I of the National Housing Act:

(1) To approve or cancel the approval of financial institutions as approved mortgagees, insured institutions or approved lenders.

(2) To issue and cancel Contracts of Insurance under Title I and to transfer such contracts and the rights and benefits accruing thereto between lending institutions.

(3) To exercise the authority of the Commissioner under the Regulations governing Title I loans in any instance which is subject to the approval of the Commissioner.

(4) To execute the power and authority vested in the Commissioner under the Regulations governing property and obligations held by the Federal Housing Commissioner and approved by the Secretary of the Treasury, except that the authority to execute the power and authority under section IV of such Regulations may be exercised only by the Assistant Commissioner, Title I.

(5) In connection with the sale of properties conveyed to the Commissioner to execute in my official name, as my agent, all deeds or other documents or instruments in connection with the conveyance of title thereto and deeds of release, assignments, or satisfactions of mortgages, deeds of trust, or other liens taken as security in connection therewith. The authority in this subdivision may be exercised only by the Assistant Commissioner, Title I.

(6) To reject or accept for insurance loans or advances of credit made under the provisions of Title I, that require the prior approval of the Federal Housing Commissioner. To execute in my name such documents as are necessary to transfer title in and to any debt, contract, claim, property or security. To execute in my name proofs of claim against bankrupt, insolvent or decedent estates and to execute releases of obligations to the Federal Housing Administration, including but not limited to notes, judgments, and other evidences of indebtedness, and to release liens of any kind held as security for such obligations, in those cases where the obligor has paid the full amount due thereon to the Federal Housing Administration.

(g) To the position of General Counsel and under his general supervision, to the Assistant General Counsel:

(1) On behalf of the Commissioner to receive and accept service of all summons, subpoenas, and other court process directed to the Commissioner.

(2) To sign, acknowledge and verify on behalf of and in the name of the Federal Housing Commissioner, all declarations, bills, pleas, answers, and all other pleadings in any court proceedings which are brought in the name of or against the Federal Housing Commissioner, or in which he is named as a party.

(3) To advise and consult with the Commissioner and with heads of the several divisions concerning the legal aspects of the policies of the Federal Housing Administration.

(4) To interpret the provisions of the National Housing Act and of the Rules and Regulations promulgated thereunder; revise the Rules and Regulations.

(5) To collaborate with the General Counsel of the Housing and Home Finance Agency in connection with legislation before Congress pertaining to the Federal Housing Administration program, recommending changes by way of amendments.

(6) To administer all matters pertaining to the preparation of legal forms necessary to the work of the Adminis-

tration; the submission of cases to the Attorney General for legal action; investigation of fraud; or violations of the National Housing Act; and the determination of acceptability of title.

(h) To the position of Zone Commissioner and to each of them, and under their supervision to their respective Assistant Zone Commissioners, State Directors, District Directors, Territorial Directors, Assistant State Directors, Assistant District Directors, Assistant Territorial Directors, and Executive Assistants:

(1) To issue commitments for insurance and to execute insurance contracts pursuant to such commitments.

(2) To approve a change in amount, a change of the term, or any other modification of commitments for insurance or of insurance contracts.

(3) To consent to the release of mortgagors.

(4) To consent to the release of portions of the mortgaged property from the lien of the mortgage.

(5) To approve or disapprove for insurance advances of mortgage money during construction, and to execute such instruments as may be necessary in connection therewith.

(6) To approve or disapprove "change orders" during construction.

(7) To issue Property Eligibility Statements or Commitments or any similar forms which may be provided in connection with new home loans under Regulations issued pursuant to Title I of the National Housing Act.

(8) In connection with new home loans under the Regulations issued pursuant to section 2 of Title I of the National Housing Act, to approve the sale by insured institutions of acquired property where the insured institution exercises its option to sell the property in the open market in lieu of a conveyance to the Commissioner.

(9) To reject or accept for insurance loans or advances of credit made under the provisions of Title I that may require the prior approval of the Federal Housing Commissioner.

(10) To approve the insurance of mortgages taken as security in connection with the sale of all properties conveyed to the Federal Housing Commissioner, including the authority to determine the value of such properties and facts relating to the eligibility of such mortgages for insurance.

(11) To execute applications or other documents in connection with any functions which the Federal Housing Administration may perform for any other agency or agencies of the United States.

(12) To certify that official long-distance telephone calls made were necessary in the interest of the Government, pursuant to section 4 of the Act approved May 10, 1939 (53 Stat. 738).

(13) In connection with the sale of Commissioner owned property, to consent to the assignment of the interest of the contract purchaser under a contract for deed and to the substitution of mortgagors under a mortgage held by the Commissioner.

(14) To execute contracts for the sale of any properties conveyed to the Federal Housing Commissioner, except prop-

erties acquired under sections 207, 213, 608, Title VII and Title VIII, or sales of five or more properties as a group.

(15) To execute any regulatory agreements required by the Administrative Rules under sections 207, 213, 608, Title VII and Title VIII.

(1) To the position of Comptroller and under his general supervision to the position of Deputy Comptroller:

(1) To requisition the advance of funds.

(2) To approve all expenditures and receipt vouchers necessary to carry out the provisions of the National Housing Act.

(3) To endorse checks for deposit or collection.

(4) To certify financial statements.

(5) To certify the findings of the Compliance Committee in regard to the waiver of the Regulations under the provisions of section 2 (c) of the National Housing Act, as amended.

(6) To certify as to delegations of authority by the Commissioner and as to the truth or accuracy of copies of original papers or documents in the possession of the Administration.

(7) To devise accounting procedures and to administer the fiscal policies of the Administration.

(8) To execute vouchers or applications and receipt for any payments received representing refunds of taxes or other payments made by the Commissioner in connection with property acquired under the provisions of the National Housing Act.

(9) To certify that official long-distance telephone calls made were necessary in the interest of the Government, pursuant to section 4 of the act approved May 10, 1939 (53 Stat. 738).

(j) To the position of Director of Research and Statistics, and under his general supervision to the position of Deputy Director of Research and Statistics:

(1) To advise the Commissioner on the economic aspects of mortgage insurance activities. Plan and administer the activities of the Research and Statistics Division. Consult with the representatives of other divisions and other agencies on problems of housing and economic research.

(2) To initiate, and to undertake on request of other officers, actuarial studies regarding insurance operations under Titles I, II, VI, VII, and VIII, including, in collaboration with the Comptroller, studies of the distribution of expenses and income; and to prepare studies of the adequacy of premiums and reserves and such other matters as are required by the Commissioner for the formulation of sound actuarial policy.

(k) To the position of Director of Personnel, and under his general supervision to the position of Deputy Director of Personnel:

(1) To be responsible for the development, establishment and operation of a personnel program.

(2) To make appointments and to remove or separate personnel; to fix the administrative work week; to approve overtime work and to prescribe rules and regulations regarding overtime.

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(3) To act as the representative of the Federal Housing Administration on the Federal Council of Personnel Administration, with the Civil Service Commission, and all Government agencies and other organizations with respect to personnel matters.

(4) To the position of Director of the Budget Division, and under his general supervision to the position of Deputy Director of the Budget Division:

(1) To be responsible to the Commissioner for all budget activities and to act as the Commissioner's representative in all budget matters in meetings held by the Bureau of the Budget or other agencies.

(2) To be responsible for the development and execution of the budget program including the preparation of budget estimates and justification therefor; the preparation of requests for apportionment of funds and justification therefor; and the allotment of funds within the limits of appropriation acts, apportionments and other limitations.

(m) To the position of Director, Administrative Services, and under his general supervision to the position of Deputy Director, Administrative Services:

(1) To approve telephone contracts.  
(2) To execute leases of property for Federal Housing Administration use.

(3) To issue orders for travel in accordance with the Standardized Government Travel Regulations, as amended, and applicable law, including authorization for travel by extra fare train and plane, and for travel incident to permanent change of station, to approve travel performed and expense incurred on account of an emergency or without prior authority in accordance with the Standardized Government Travel Regulations, as amended, and to approve and authorize the transportation of household goods and personal effects at Government expense in accordance with applicable Executive Orders and amendments thereto, and provisions of law.

(4) To issue purchase orders, including printing and binding requisitions to the Government Printing Office.

(5) To incur obligations and authorize expenditures for services and for the purchase of equipment, materials, and supplies other than in connection with acquired properties.

(6) To approve all agreements involving reimbursements, including agreements with others for the performance of any function by or on behalf of the Federal Housing Administration, after first obtaining the recommendation of any division affected.

(7) To issue orders for publications of notices and advertisements in newspapers, magazines, and periodicals. (See sec. 3828, Rev. Stat.)

(8) To execute contracts for services and for the purchase of equipment, materials, and supplies, including contracts for materials, equipment, supplies, and services, for the maintenance and operation of acquired properties.

(9) To certify that official long-distance telephone calls made were necessary in the interest of the Government, pursuant to section 4 of the act approved May 10, 1939 (53 Stat. 738).

(10) To be responsible for the arrangement, format and general presentation of all forms and publications of the Administration.

(11) To be responsible for the operation and maintenance of the duplicating service of the Administration, including the maintenance of the duplicating and binding service, mechanical addressing and mailing service and photographic laboratory.

(12) To be responsible for the maintenance of a perpetual inventory of forms, costs records, and stockroom for materials necessary and incidental to the above responsibilities.

(13) To be responsible for the radio spot announcement program and other radio material and to coordinate and supervise the FHA Home Show and exhibit program."

(n) To the position of Auditor and under his general supervision to the position of Deputy Auditor:

(1) To be responsible for a continuing audit of the fiscal accounts of the Administration, including the fiscal accounts of the Field Offices, and the accounts of approved Mortgagees not under governmental supervision to determine compliance with the supervision requirements of the Administrative Rules.

(o) To the position of Director, Property Management, and under his general supervision to the position of Deputy Director, Property Management:

(1) To operate and manage all properties conveyed to the Federal Housing Commissioner in accordance with general policies promulgated by the Property Sales Committee and approved by the Commissioner, including authority with respect to such property to:

(i) approve all offers to rent or purchase, except that offers to purchase properties acquired under sections 207, 213, 608, Title VII and VIII, or offers to purchase a group of five or more properties acquired under other sections of the act, shall be subject to the approval of the Commissioner and shall be accompanied by the recommendations of the Property Sales Committee.

(ii) employ brokers or managers.  
(iii) make repairs, alterations and improvements.

(iv) execute such contracts, leases, assignments, and instruments as may be necessary in the rental or sale of such properties other than deeds or other documents in connection with the conveyance of title, deeds of release, assignments or satisfactions of mortgages, deeds of trust or other liens taken as security in connection therewith.

(v) authorize expenditures.

*Sec. 14. Delegations to committees.*

(a) To a Committee to be known as the "Executive Board" consisting of the Commissioner as Chairman; the Deputy Commissioner as Vice-Chairman; Assistant to the Commissioner; the Assistant Commissioner, Field Operations; the Assistant Commissioner, Rental Housing; the Assistant Commissioner, Underwriting; the Assistant Commissioner, Title I; the Assistant Commissioner, Cooperative Housing; the Director, Administrative Services; the General Counsel; the Comptroller; the Director of the

Budget Division; the Director of Personnel; the Director of Research and Statistics; the Director, Property Management; the Auditor; the Administrative Officer (Minority Group Housing); and the Zone Commissioners:

(1) To consider and discuss matters of general policy and to advise the Commissioner with respect to matters affecting the activities of the various divisions of the Administration.

The Executive Board or any part thereof shall meet upon call by the Chairman or Vice-Chairman, who will designate and excuse from attendance any member having no direct interest in the matters to be discussed at the meeting.

In the absence of the Chairman, the Vice-Chairman shall preside and in the absence of any member designated by the Chairman or Vice-Chairman as being interested in the matters to be discussed, the principal assistant of such absent member shall attend the meeting and serve in the place of such member.

(b) To a Committee to be known as the "Property Sales Committee", consisting of the Assistant Commissioner, Rental Housing, Chairman; Assistant Commissioner, Field Operations; Assistant Commissioner, Underwriting; Assistant Commissioner, Cooperative Housing; the Director, Property Management; the General Counsel; and the Zone Commissioner having jurisdiction:

(1) To consider and recommend to the Commissioner the approval or disapproval of any offer to purchase a property or mortgage acquired by the Commissioner under the provisions of sections 207, 213, 608, Title VII and Title VIII, and any offer to purchase a group of five or more properties acquired by the Commissioner in connection with any other Section of the Act, and to recommend to the Commissioner general policies to govern the sales and rentals of properties acquired by the Commissioner, and the sale and terms of sale of mortgages taken as security in connection with the sale of such acquired properties. A quorum shall consist of four members, one of which shall be the Legal Division representative. In the absence of any member, an alternate shall not be designated to attend except upon request of the Chairman.

(c) To a Committee to be known as the "Property Management Expenditures Committee", consisting of the following: the Director, Property Management, Chairman; the Assistant Commissioner, Rental Housing; Assistant Commissioner, Field Operations; Assistant Commissioner, Cooperative Housing; General Counsel; the Director, Administrative Services; Comptroller; and the Zone Commissioner having jurisdiction:

(1) To consider and determine whether or not an expenditure is necessary to carry out the provisions of Titles I, II, VI, VII and VIII as such term is used in section 1 of the National Housing Act, whenever such a determination is, in the opinion of the General Counsel, necessary to support the legal authority of the Commissioner to make such expenditure. A quorum shall consist of five members, one of which shall be the Legal Division representative. Minutes of each meeting which include a determination

by the Committee shall be forwarded to the Commissioner prior to action being concluded in connection with such determination. In the absence of any member, the principal assistant of such absent member shall attend meetings and serve in place of such member. In the absence of the Chairman, the members of the Committee shall choose a temporary Chairman.

(d) To a committee to be known as the "Compliance Committee", consisting of the Assistant Commissioner, Title I; the General Counsel or his designee; the Director, Administrative Services; the Assistant Commissioner, Field Operations; and the Comptroller; any three of which shall constitute a quorum:

(1) To waive compliance with regulations heretofore or hereafter prescribed with respect to the interest and maturity of, and the terms, conditions, and restrictions under which loans, advances of credit, and purchases may be insured under section 2 and section 6 of Title I, if in the judgment of the Committee the enforcement of such regulations would impose an injustice upon an insured institution which has substantially complied with such regulations in good faith and refunded or credited any excess charge made, and if such waiver does not involve an increase of the obligation of the Commissioner beyond the obligation which would have been involved if the regulations had been fully complied with. In the absence of any member, the principal assistant of such absent member shall attend meetings and serve in place of such member.

(e) To a Committee to be known as the "Finance Committee", consisting of the Deputy Commissioner, Chairman; General Counsel; Assistant Commissioner, Field Operations; Assistant Commissioner, Underwriting; Assistant Commissioner, Rental Housing; Assistant Commissioner, Cooperative Housing; Assistant Commissioner, Title I; Auditor; Actuary; Comptroller; and the Director of Research and Statistics:

(1) To study all Federal Housing Administration fiscal matters and prepare recommendations to the Commissioner. Reports of these studies which include recommendations to the Commissioner on fiscal matters shall be prepared and signed by the Chairman of the Committee. Meetings shall be held upon call of the Chairman. In the absence of any member of the Committee an alternate shall not be designated to attend except upon request of the Chairman.

(f) To a Committee to be known as the "Actuarial Advisory Committee", consisting of the Actuary (Chairman); Comptroller; and the Director of Research and Statistics:

(1) To prepare recommendations to the Commissioner with respect to actuarial policy and to initiate basic actuarial studies on the operations of the various insurance funds. Reports on these studies which include recommendations to the Commissioner on actuarial policy shall be approved and signed by the appointed members of the Committee. Meetings shall be held upon call by the Chairman, but not less often than bi-monthly. In the absence of any member of the Committee an alternate desig-

nated by the member shall attend and participate in the work of the Committee.

(g) To a Committee to be known as the "Personnel Ceiling Committee," consisting of the Director of Personnel, Chairman; the Director of the Budget Division; and the Assistant to the Commissioner:

(1) To establish a personnel ceiling for each division in the Administration, and to review such ceilings each quarter immediately after receiving the agency personnel ceilings established by the Bureau of the Budget. In the absence of any member of the Committee, an alternate designated by the member shall attend and participate in the work of the Committee.

[SEAL] FRANKLIN D. RICHARDS,  
Federal Housing Commissioner.

[F. R. Doc. 50-7812: Filed, Sept. 6, 1950;  
8:47 a. m.]

#### Office of the Administrator

[Temporary Order 4]

##### ORGANIZATION DESCRIPTION, INCLUDING DELEGATIONS OF FINAL AUTHORITY

##### ESTABLISHMENT OF TEMPORARY ORGANIZATION AND INTERIM PROCEDURES FOR HANDLING TRANSFERRED FUNCTIONS RELATING TO LOANS FOR FACTORY-BUILT AND PREFABRICATED HOUSING

(a) *Purpose.* Reorganization Plan No. 23 of 1950, 15 F. R. 4366 (1950), effective September 7, 1950, vests in the Housing and Home Finance Administrator, hereinafter referred to as the "Administrator", the following functions previously vested in the Reconstruction Finance Corporation, hereinafter referred to as the "Corporation":

(1) All functions of the Corporation under section 102 of the Housing Act of 1948, as amended;

(2) All other functions of the Corporation, under the Reconstruction Finance Corporation Act, as amended, or any other law, with respect to financing predominantly for the production, manufacture, distribution, sale, purchase, or erection of prefabricated houses, sections, or panels, or site improvements therefor;

(3) The function of the Corporation of making payments on its notes issued to the Secretary of the Treasury in an amount equal to the funds and the unpaid principal of, and accrued interest on, the loans and obligations payable to the Corporation which are transferred under the provisions of the Plan; and

(4) So much of any other function of the Corporation as is incidental to or necessary for the performance of the functions referred to in items (1) and (2), above, including the issuance of obligations to the Secretary of the Treasury, which may be purchased by the Secretary, under section 7 of the Reconstruction Finance Corporation Act, as amended: *Provided*, That the amount of such obligations issued by the Administrator and outstanding at any one time shall not exceed the sum of (a) the funds and the unpaid principal of, and accrued interest on, the loans and obligations transferred under the Plan and (b)

the unexpended balances of authorizations and allocations transferred thereunder, less the amount of any funds transferred under the Plan for such unexpended balances from which sum shall be deducted the outstanding amount of any notes with respect to which the function of making payments is transferred under item (3) above.

The Plan transfers also to the Housing and Home Finance Agency (1) the assets, contracts, loans, liabilities, commitments, property, and records, of the Corporation relating to the functions transferred thereunder, (2) such of the personnel of the Corporation relating to said functions as the Director of the Bureau of the Budget shall determine, and (3) so much of the unexpended balances of authorizations, allocations, and funds, available or to be made available, of the Corporation relating to such functions (including authorizations and allocations for administrative expenses) as the Director of the Bureau of the Budget shall determine; and authorizes such further measures and dispositions as the Director of the Bureau of the Budget shall determine to be necessary to effectuate such transfers.

To assure uninterrupted and immediate performance of the functions which the plan transfers to and vests in the Housing and Home Finance Administrator this order is issued to establish a temporary organization to perform the said functions and to establish interim procedures to be followed in carrying out the programs transferred.

(b) *Establishment of temporary organization.* (1) All functions transferred by the Plan to the Housing and Home Finance Administrator, together with any assets, contracts, loans, liabilities, commitments, obligations, property, records, personnel, funds, authorizations and allocations transferred, shall be administered within the Housing and Home Finance Agency, Office of the Administrator, under the direction and supervision of the Administrator. Primary responsibility for administering such functions within the Office of the Administrator shall be vested in an organization unit in the Office of the Administrator, to be known as the Division of Loans for Prefabricated Housing, headed by a Director.

(2) All officers and employees transferred as a result of the Plan shall, until otherwise assigned, become officers or employees of the Office of the Administrator, Housing and Home Finance Agency.

(c) *Establishment of interim procedures.* (1) Until further notice, all payments due on loans or other obligations transferred to the Administrator pursuant to Reorganization Plan No. 23 of 1950 shall continue to be made to the Reconstruction Finance Corporation Loan Agency Offices or to other appropriate offices of the Corporation in accordance with current applicable instructions and procedures of the Corporation and with relevant provisions of the loan documents; and

(2) Pursuant to arrangements made with the Corporation, some outstanding loans transferred by the Plan will, temporarily and until further notice, con-

## NOTICES

tinue to be administered, handled and serviced by the Corporation, including its Loan Agency Offices. Borrowers whose loans fall within this category will be notified to this effect by letter and later will be notified by letter when this arrangement has been discontinued. With respect to such loans, the Corporation, including its appropriate Agencies and officers, is hereby authorized to perform such functions on behalf of the Administrator, including functions referred to in paragraph (d) (1) hereof; and

(3) Except as provided in paragraph (c) (1) above, all communications (including applications for loans, inquiries concerning outstanding or proposed loans, and notices) concerning the programs (including outstanding loans and obligations) transferred to the Administrator pursuant to the Reorganization Plan shall be addressed to the Administrator at 1626 K Street, NW., Washington 25, D. C.

(d) *Limitations.* (1) With respect to any functions transferred to the Administrator under Reorganization Plan No. 23 of 1950, except as otherwise provided herein, no officer or employee of the Office of the Administrator, Housing and Home Finance Agency, other than the Administrator (or Acting Administrator) shall authorize loans or disbursements thereunder; make loan or contractual commitments; execute loan or other agreements, including Participation Agreements and amendatory, supplemental and superseding agreements; modify or extend a period of disbursement or make other modifications of loan or contractual arrangements; or consent to the release or substitution of collateral; and

(2) No officer or employee of the Division of Loans for Prefabricated Housing shall (A) make formal appointment of any person to any position within the Office of the Administrator; or (B) regroup, transfer or distribute any functions within the Office of the Administrator.

(Reorg. Plan No. 3 of 1947, 12 F. R. 4081 (1947); 62 Stat. 1268, 1283-85 (1948), as amended, 12 U. S. C. 1701c (Supp. 1949); 63 Stat. 413, 440 (1949), as amended, 12 U. S. C. 1701d-1 (Supp. 1949); Pub. Law 475, 81st Cong., 2d sess., section 503 (1) (Apr. 20, 1950); Reorg. Plan No. 23 of 1950, 15 F. R. 4365 (1950))

Effective the 7th day of September 1950.

RAYMOND M. FOLEY,  
Housing and Home  
Finance Administrator.

[F. R. Doc. 50-7855; Filed, Sept. 6, 1950;  
8:53 a. m.]

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TRANSFER OF FEDERAL NATIONAL MORTGAGE  
ASSOCIATION FROM RECONSTRUCTION  
FINANCE CORPORATION

The transfer of the Federal National Mortgage Association, together with its functions, from the Reconstruction Finance Corporation to the Housing and Home Finance Agency pursuant to Reorganization Plan No. 22 of 1950, 15 F. R. 4365 (1950), is effective on September 7,

1950. The Federal National Mortgage Association remains a corporate entity.

RAYMOND M. FOLEY,  
Housing and Home  
Finance Administrator.

[F. R. Doc. 50-7854; Filed, Sept. 6, 1950;  
8:53 a. m.]

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INTERSTATE COMMERCE  
COMMISSION

[4th Sec. Application 25374]

WOODPULP FROM COOSA PINES, ALA., TO  
OFFICIAL TERRITORY

APPLICATION FOR RELIEF

SEPTEMBER 1, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for and on behalf of carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1051.

Commodities involved: Woodpulp, not powdered, carloads.

From: Coosa Pines, Ala.

To: Points in official territory.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger's tariff I. C. C. No. 1051, Supplement 96.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-7822; Filed, Sept. 6, 1950;  
8:48 a. m.]

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[4th Sec. Application 25375]

PETROLEUM FROM CHETOPA, KANS., TO THE  
WEST

APPLICATION FOR RELIEF

SEPTEMBER 1, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. A-3419.

Commodities involved: Petroleum, petroleum products and related articles, carloads.

From: Chetopa, Kans.

To: Points in the west.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3419, Supplement 197.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-7823; Filed, Sept. 6, 1950;  
8:48 a. m.]

[4th Sec. Application 25376]

ARTIFICIAL RUBBER FROM TEXAS AND  
LOUISIANA TO FORT DODGE, IOWA

APPLICATION FOR RELIEF

SEPTEMBER 1, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to the tariffs named below.

Commodities involved: Rubber, artificial, neoprene or synthetic, crude, carloads.

From: Points in Texas and Louisiana.

To: Fort Dodge, Iowa.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. 3752, Supp. 480; D. Q. Marsh's tariff I. C. C. 3906, Supp. 16; W. P. Emerson, Jr.'s tariff I. C. C. 378, Supp. 99.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of

emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-7824; Filed, Sept. 6, 1950;  
8:48 a. m.]

[4th Sec. Application 25377]

**CEMENT FROM BOETTCHER, COLO., TO THE  
WEST**

**APPLICATION FOR RELIEF**

SEPTEMBER 1, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. A-2958.

Commodities involved: Cement and related articles, carloads.

From: Boettcher, Colo.

To: Points in western trunk line territory.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-2958, Supplement 173.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-7825; Filed, Sept. 6, 1950;  
8:49 a. m.]

[4th Sec. Application 25378]

**BOTTLE CAPS FROM DALLAS, TEX., TO  
ST. LOUIS, MO.**

**APPLICATION FOR RELIEF**

SEPTEMBER 1, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for and on behalf of carriers parties to his tariff I. C. C. No. 3752.

Commodities involved: Bottle caps, carloads.

From: Dallas, Tex.  
To: St. Louis, Mo.

Grounds for relief: Circuitous routes. Schedules filed containing proposed rates: D. Q. Marsh's tariff I. C. C. No. 3752, Supplement 482.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,  
Secretary.

[F. R. Doc. 50-7826; Filed, Sept. 6, 1950;  
8:49 a. m.]

[Rev. S. O. 562, King's I. C. C. Order 28-A]

**CANADIAN NATIONAL RAILWAYS (LINES  
IN CANADA) ET AL.**

**REROUTING OR DIVERSION OF TRAFFIC**

Upon further consideration of Revised King's I. C. C. Order No. 28, and good cause appearing therefor: *It is ordered*, That:

(a) King's I. C. C. Order No. 28 be, and it is hereby vacated and set aside.

(b) *Effective date*. This order shall become effective at 8:00 a. m., August 31, 1950.

*It is further ordered*. That this order shall be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., August 31, 1950.

INTERSTATE COMMERCE  
COMMISSION,  
HOMER C. KING,  
Agent.

[F. R. Doc. 50-7827; Filed, Sept. 6, 1950;  
8:49 a. m.]

**SECURITIES AND EXCHANGE  
COMMISSION**

[File No. 70-2450]

**OHIO POWER CO. AND CENTRAL OHIO COAL  
CO.**

**ORDER PERMITTING DECLARATION TO BECOME  
EFFECTIVE**

At a regular session of the Securities and Exchange Commission held at its

office in the city of Washington, D. C., on the 31st day of August A. D. 1950.

The Ohio Power Company ("Ohio"), an electric utility subsidiary of American Gas & Electric Company, a registered holding company, and Ohio's non-utility subsidiary, Central Ohio Coal Company ("Coal Company"), having filed a joint declaration, and an amendment thereto, with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act"), and having designated Rules U-42 and U-43 promulgated under the act as applicable to the following proposed transactions:

From time to time prior to December 31, 1951, Coal Company proposes to acquire not to exceed 10,000 shares of its capital stock from Ohio at \$100 per share and to promptly retire all shares so acquired. The authorized capital of Coal Company consists of 40,000 shares of \$100 par value common stock of which 28,000 shares are outstanding and all of which are owned by Ohio having been acquired by that company at \$100 per share for a total aggregate amount of \$2,800,000.

In the declaration it is stated that Coal Company at the present time has some \$300,000 cash on hand in excess of its required working capital, which funds have been accumulated as a result of depreciation charges on its equipment. Coal Company expects that such depreciation accruals will continue to accumulate excess cash as it is not now contemplated that the Coal Company will have to make any substantial purchases of additional equipment. Coal Company desires to reacquire shares of its capital stock from Ohio with such excess funds.

Declarants have requested that any order of this Commission authorizing the proposed transactions issue as soon as may be practicable and become effective upon issuance.

Said declaration having been filed on July 31, 1950, and the last amendment thereto having been filed on August 10, 1950, and notice of said joint declaration, as amended, having been given in the form and manner prescribed by Rule U-23 promulgated under said act, and the Commission not having received a request for a hearing with respect to said joint declaration within the time specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are in accordance with the applicable standards of the act and observing no basis for adverse findings, and the Commission deeming it appropriate that said joint declaration, as amended, be permitted to become effective without the imposition of terms and conditions other than those contained in Rule U-24:

*It is ordered*, Pursuant to said Rule U-23 and the applicable standards of said act that said joint declaration, as amended be, and the same hereby is, permitted to become effective forthwith,

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subject to the terms and conditions contained in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 50-7816; Filed, Sept. 6, 1950;  
8:47 a. m.]

[File No. 70-2451]

**SOUTHWESTERN DEVELOPMENT CO. ET AL.  
ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE**

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 31st day of August A. D. 1950.

In the matter of Southwestern Development Company, Amarillo Gas Company, Amarillo Oil Company, and West Texas Gas Company, File No. 70-2451.

Southwestern Development Company ("Southwestern"), a registered holding company, and three wholly-owned subsidiary companies of Southwestern, namely, Amarillo Gas Company ("Amarillo Gas"), Amarillo Oil Company ("Amarillo Oil"), and West Texas Gas Company ("West Texas"), having filed a joint application-declaration and amendments thereto with this Commission pursuant to sections 7, 10, and 12 of the Public Utility Holding Company Act of 1935 regarding the following transactions:

Southwestern proposes to borrow from Guaranty Trust Company of New York the principal amount of \$2,750,000 and to issue and sell to Guaranty Trust Company of New York, as evidence of said loan, its five year 2½ percent promissory note due in yearly instalments to and including July 1, 1955, in the same principal amount.

Southwestern proposes to advance the total proceeds of said loan (\$2,750,000) to Amarillo Gas, Amarillo Oil, and West Texas in the principal amounts of \$400,000, \$650,000, and \$1,700,000 respectively. The said three subsidiary companies propose to issue and sell to Southwestern their five year 2½ percent unsecured promissory notes in the above respective amounts and Southwestern proposes to acquire said notes. The notes will provide for repayment in yearly instalments to and including July 1, 1955, and in addition, will provide for repayment in whole or in part prior to maturity of any of the principal instalments without premium.

The joint applicants-declarants state that proceeds of the proposed loans will be used by said subsidiary companies to provide necessary additional funds for enlargements and extensions of their natural gas facilities, to provide working capital, and for other corporate purposes.

Notice of the filing of this joint application-declaration having been duly given in the form and manner prescribed by Rule U-23 promulgated under the act, and the Commission not having received a request for hearing within the time specified in said notice, or otherwise, and

not having ordered a hearing thereon; and

The joint applicants-declarants having requested that the Commission's order with respect to said joint application-declaration issue at the earliest date possible and become effective upon issuance; and

The Commission finding with respect to said joint application-declaration, as amended, that the requirements of the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations thereunder are satisfied and that no adverse findings are necessary thereunder, and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration, as amended, be granted and permitted to become effective forthwith;

*It is hereby ordered.* Pursuant to Rule U-23 and the applicable provisions of the Public Utility Holding Company Act of 1935 that the said joint application-declaration, as amended, be, and the same hereby is, granted and permitted to become effective forthwith subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 50-7815; Filed, Sept. 6, 1950;  
8:47 a. m.]

[File No. 70-2469]

**LONG ISLAND LIGHTING CO.**

**NOTICE OF FILING AND ORDER FOR HEARING**

At a regular session of the Securities and Exchange Commission, held at its offices in the city of Washington, D. C., on the 31st day of August A. D. 1950.

Notice is hereby given that a declaration has been filed with this Commission by Long Island Lighting Company ("Long Island"), a registered holding company, pursuant to the Public Utility Holding Company Act of 1935. Declarant has designated section 6 (a) of the act and Rule U-50 promulgated thereunder as applicable to the proposed transaction.

All interested persons are referred to said declaration which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Long Island proposes to issue and sell \$20,000,000 principal amount of thirty year first mortgage Series H \_\_\_\_\_ percent bonds. Within two days after the receipt of a favorable order from this Commission, declarant will issue and sell \$15,000,000 principal amount of such bonds and, within one year from the date of the signing of the agreement for the purchase of the bonds, declarant will issue and sell the remaining \$5,000,000 principal amount of such bonds. In the event the \$5,000,000 principal amount of such bonds is not issued and sold within six months from the date of the signing of the agreement for the purchase of the bonds, declarant proposes that it pay a standby fee of 1 percent per annum for

such portion of the second six months' period as is used for standby purposes.

A plan of consolidation and recapitalization for declarant and its principal subsidiary companies, filed pursuant to section 11 (e) of the act, has been approved by this Commission, ordered enforced by the United States District Court for the Eastern District of New York, and affirmed by the United States Court of Appeals for the Second Circuit. A petition for certiorari to review such affirmation has been filed with the United States Supreme Court. The plan of consolidation will not be consummated prior to the disposition of the petition for certiorari.

Declarant proposes that the agreement for the purchase of the bonds will contain a provision permitting it to exchange, without the payment of any premium, the Series H bonds for an equal principal amount of new bonds to be issued by the company that will emerge when the consolidation is consummated. The new bonds, when and if issued, will have the same interest rate, redemption provisions, and maturity date as the Series H bonds, but will be issued under a new indenture, modern in form, terms, and provisions and which will replace the existing obsolete form of indenture.

The proceeds of the issue and sale will be used to pay short term promissory notes of the company and for reimbursement of the company's treasury for monies used for the construction of additions to the company's properties.

Declarant proposes to sell the said first mortgage bonds privately to institutional investors. The company has requested that the Commission except the issue and sale of said bonds from the competitive bidding requirements of Rule U-50. The names of the proposed purchasers of the bonds, the interest rate, purchase price, and other provisions thereof, will be supplied by amendment.

Declarant states that the transaction is subject to the jurisdiction of the Public Service Commission of the State of New York.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to said declaration, and that such declaration shall not be permitted to become effective except pursuant to further order of the Commission.

*It is hereby ordered.* Pursuant to sections 6 (a), 7 and 18 of the act that a hearing be held on said declaration on September 14, 1950, at 11:00 a. m., e. d. s. t., in the offices of the Securities and Exchange Commission, 425 Second Street N.W., Washington 25, D. C. On such date the hearing room clerk will advise as to the room in which such hearing will be held. Any person desiring to be heard in connection with this proceeding, or proposing to intervene herein, shall file with the Secretary of the Commission, on or before September 12, 1950, a written request relative thereto, as provided by Rule XVII of the Commission's rules of practice.

*It is further ordered.* That William W. Swift, or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hear-

ing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Public Utilities of the Commission having advised the Commission that it has made a preliminary examination of the said declaration, and that, on the basis thereof, the following matters and questions are presented for consideration without prejudice, however, to the presentation of additional matters and questions upon further examination:

1. Whether compliance by Long Island with the competitive bidding requirements of Rule U-50 is not necessary or appropriate under the circumstances; and, if an exception is appropriate, whether or not declarant has maintained competitive conditions with respect to the proposed issue and sale.

2. Whether the issue and sale by Long Island of the said first mortgage bonds comply with the applicable requirements of section 7 of the act.

3. What terms and conditions, if any, with respect to the proposed issue and sale of said first mortgage bonds shall be prescribed in the public interest or for the protection of investors or consumers.

4. Whether the fees, commission, and other expenses to be incurred are for necessary services and reasonable in amount.

*It is further ordered*, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

By the Commission.

[SEAL]

ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 50-7820; Filed, Sept. 6, 1950;  
8:48 a. m.]

[File No. 70-2471]

DELAWARE POWER & LIGHT CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 31st day of August A. D. 1950.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Delaware Power & Light Company ("Delaware"), a registered holding company and an electric utility company. Declarant has designated sections 6 (a) and 7 of the act as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than September 15, 1950, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425

Second Street NW., Washington 25, D. C. At any time after September 15, 1950, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Delaware proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$12,000,000 principal amount of its First Mortgage and Collateral Trust Bonds -- percent Series due 1980.

The proceeds from the sale of such securities will be used to finance a portion of the construction program of Delaware and its subsidiaries. It is estimated that the construction program for the years 1950 to 1951 inclusive will require expenditures of \$38,000,000. Of such estimated requirements, approximately \$4,750,000 has been obtained from the sale of 232,520 shares of common stock in April 1950, \$19,000,000 will be obtained from treasury funds, retained earnings, and provisions for amortization and depreciation, and \$12,000,000 will be obtained from the bonds now proposed to be sold. The company states that it has no present plans for the sale of any additional securities, if such may be required to complete its construction program.

By the Commission.

[SEAL]

ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 50-7818; Filed, Sept. 6, 1950;  
8:47 a. m.]

[File No. 70-2472]

QUEENS BOROUGH GAS AND ELECTRIC CO.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 31st day of August A. D. 1950.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Queens Borough Gas and Electric Company ("Queens"), a subsidiary of Long Island Lighting Company ("Long Island"), a registered holding company. Declarant has designated section 6 of the act as applicable to the proposed transaction.

Notice is further given that any interested person may, not later than September 18, 1950, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission,

425 Second Street NW., Washington 25, D. C. At any time after September 18, 1950, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file in the office of this Commission for a statement of the transaction therein proposed, which is summarized as follows:

Queens proposes to issue and sell for cash at principal amount to three commercial banks an aggregate of \$2,000,000 principal amount of unsecured notes which will bear interest at the rate of 2½ percent per annum and will mature on December 15, 1950. The proceeds of the sale of the notes are to be used to repay all of the company's presently outstanding bank loans in the amount of \$1,500,000 which mature September 26, 1950, and the balance of \$500,000 will be employed to finance extensions and additions to the company's utility plant.

A plan of consolidation and recapitalization for Long Island, Queens, and Nassau & Suffolk Light Company ("Nassau"), a subsidiary of Queens, filed pursuant to section 11 (e) of the act, has been approved by this Commission, ordered enforced by the United States District Court for the Eastern District of New York, and affirmed by the United States Court of Appeals for the Second Circuit. A petition for certiorari to review such affirmation has been filed with the United States Supreme Court. Upon consolidation, the interest rate will be reduced to 2¼ percent per annum.

Declarant states that the transaction is not subject to the jurisdiction of any commission other than this Commission.

Declarant requests that the Commission enter its order as soon as practicable.

By the Commission.

[SEAL]

ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 50-7819; Filed, Sept. 6, 1950;  
8:48 a. m.]

[File No. 811-200]

UNITED FUNDS MANAGEMENT CORP.

NOTICE OF MOTION TO DECLARE THAT REGISTRANT HAS CEASED TO BE AN INVESTMENT COMPANY

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 31st day of August A. D. 1950.

Notice is hereby given that the Division of Corporation Finance of the Commission, having reasonable cause to believe that United Funds Management Corporation has ceased to be an investment company has so advised the Commission. Whereupon, the Commission of its own motion and pursuant to section 8 (f) of the Investment Company Act of 1940, moves for an order to declare that United Funds Management Corporation, a registered investment company, has ceased to be an investment

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company within the purview of said act, and that the registration of said corporation should cease to be in effect.

The United Funds Management Corporation and all interested persons are referred to the notification of registration of said corporation which is on file at the Washington, District of Columbia, offices of this Commission, for more detailed information as to the matters of fact and law herein at issue.

Notice is further given that an order granting said motion may be issued by the Commission at any time after the 15th day of September 1950, unless prior thereto a hearing upon the motion is ordered by the Commission as provided in Rule N-5 of the rules and regulations promulgated under the said act. Any interested person may, not later than September 14, 1950, at 5:30 o'clock p. m. on that date, submit to the Commission in writing his views or any additional facts bearing upon the issues herein or the desirability of a hearing thereon, or may request the Commission that a hearing be held thereon. Any such communication or request should be addressed to the Secretary of the Securities and Exchange Commission, 425 Second Street NW, Washington 25, District of Columbia, and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the motion which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBois,  
Secretary.

[F. R. Doc. 50-7817; Filed, Sept. 6, 1950;  
8:47 a. m.]

## DEPARTMENT OF JUSTICE

## Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. I, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 15002]

## MRS. ANNA EBELER VERBEEFT

In re: Interests in bank accounts owned by Mrs. Anna Ebeler Verbeet. F-28-28289-E-1, E-2.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mrs. Anna Ebeler Verbeet, whose last known address is Friedrich Schmidstrasse 56B, Cologne, Braunsfeld, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. An undivided three-fourths ( $\frac{3}{4}$ ths) interest in that certain debt or other obligation of The Western Saving Fund Society of Philadelphia, S. E. cor. Broad and Chestnut Streets, Philadelphia 7, Pennsylvania, arising out of a savings ac-

count, account number JP 148541, entitled Louis Ebeler, maintained with the aforesaid Society, and any and all rights to demand, enforce and collect the same, and

b. An undivided three-fourths ( $\frac{3}{4}$ ths) interest in that certain debt or other obligation of Saving Fund Society of Germantown and Its Vicinity, 5458 Germantown Avenue, Philadelphia 44, Pennsylvania, arising out of a savings account, account number 201261, entitled Louis Ebeler, maintained with the aforesaid Society, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Mrs. Anna Ebeler Verbeet, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 11, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

[F. R. Doc. 50-7842; Filed, Sept. 6, 1950;  
8:50 a. m.]

[Vesting Order 14942]

## DR. MED. ALFRED SUTTER AND EMILIE LENZ

In re: Debts owing to and securities owned by Dr. med. Alfred Sutter, also known as Alfred Sutter-Kirchhofer and Emilie Lenz also known as Emilie Sutter Lenz. F-28-30830.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. med. Alfred Sutter, also known as Alfred Sutter-Kirchhofer, whose last known address is Wehr, Baden, Germany, and Emilie Lenz, also known as Emilie Sutter Lenz, whose last known address is Wehr, Baden, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain debts or other obligations, matured or unmatured, evidenced by the bonds described in Exhibit A, attached hereto and by reference made a part hereof, together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid bonds.

b. All rights, interests and claims in and to and arising out of or under a Voting Trust Certificate issued by the American Electric Securities Corporation, 20 Pine Street, New York City, New York, a corporation organized under the laws of the State of Delaware, for 225 shares of common stock of the aforesaid American Electric Securities Corporation, said Voting Trust Certificate bearing the number 420, dated May 11, 1936, and registered in the name of Fanny Sutter-Herlan, and

c. Two thousand (2000) shares of \$1.00 par value participating preferred capital stock of the American Electric Securities Corporation, 20 Pine Street, New York City, New York, a corporation organized under the laws of the State of Delaware, evidenced by a certificate numbered NP/B 245 and registered in the name of Frau Fanny Sutter-Herlan, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Dr. med. Alfred Sutter also known as Alfred Sutter-Kirchhofer and Emilie Lenz also known as Emilie Sutter Lenz, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 4, 1950.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,  
Assistant Attorney General,  
Director, Office of Alien Property.

EXHIBIT A  
BONDS

Description of bonds.	Bond Nos.	Face value
Associated Gas & Electric Corp., 4 percent income debenture, due 1978.	M 131 M 122 M 1360 M 1507 M 4517 M 5605 M 6432 M 9197 M 11163 M 11162 M 13006 M 13364 M 13512 M 15894 M 15895 M 15896 M 16444 M 16445 M 15583 M 16586 M 16587 M 16588 M 16589	\$1,000.00
Portland Electric Power Co., 6 percent collateral trust income bond, due 1950.	M 17187 M 17530 M 19171 M 19644 M 20376 M 21059 M 23414 M 29417 M 31717 M 33021 M 34166 M 34167 M 34168 M 34169 M 34170 M 36538 M 36801 M 36802 M 36803 M 39430 D 3160 D 3631	500.00 500.00
	M 10551 M 10552 M 10553 M 10554 M 10555 M 10556	1,000.00

<sup>1</sup> Each.[F. R. Doc. 50-7841; Filed, Sept. 6, 1950;  
8:50 a. m.]

## [Vesting Order 15006]

NORDSTERN ALIGEMEINE VERSICHERUNGS  
A. G.

In re: Debts owing to Nordstern Allgemeine Versicherungs A. G. also known as Nordstern Lebensversicherungs Aktiengesellschaft. F-28-8183.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Nordstern Allgemeine Versicherungs A. G., also known as Nordstern Lebensversicherungs Aktiengesellschaft, the last known address of which is 2 Fehrbelliner Platz, Berlin-Wilmersdorf, Germany, is a corporation, partnership, association or other business organization, organized under the laws of Germany, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany);

2. That the property described as follows: Those certain debts or other obligations, matured and unmatured, evidenced by nine (9) 4% Northern Pacific Railway Company Prior Lien Mtg. Rail-

way & Land Grant Gold Bonds, due 1997, said bonds issued in bearer form, each of \$500.00 face value, and bearing the numbers D-1144, 1482, 2751, 4867, 4668, 4669, 4670, 4915, and 17343, together with any and all accruals to the aforesaid debts or other obligations and any and all rights to demand, enforce and collect the same, and any and all rights in, to and under the aforesaid bonds,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Nordstern Allgemeine Versicherungs A. G., also known as Nordstern Lebensversicherungs Aktiengesellschaft, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 16, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-7843; Filed, Sept. 6, 1950;  
8:50 a. m.]

## [Vesting Order 15038]

## MATHILDA FINKE ET AL.

In re: Interest in real property owned by Mathilda Finke and others.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Mathilda Finke, Hermine Pieper, Anna Behrens, Heinrich Suhr and Martha Meier, each of whose last known address is Delmenhorst, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows: An undivided five-sixths (5/6ths) interest in real property situated in the Borough of Dumont, County of Bergen, State of New Jersey, particularly described in Exhibit A, attached hereto and

by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 29, 1950.

For the Attorney General.

[SEAL] PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

## EXHIBIT A

All those certain lots, tracts or parcels of land and premises, hereinafter particularly described, situate, lying and being in the Borough of Dumont in the County of Bergen and State of New Jersey, which are known and designated on a certain map entitled "1st Map of Fairchild Manor, Dumont, N. J. Property of Grantwood Realty Company" C. C. Freeborn Jr., Civil Engineer and Surveyor, Dumont, N. J., September 1, 1926, and filed in the office of the Clerk of the County of Bergen on October 2, 1926, as Map No. 2154 as lots sixteen (16) seventeen (17) eighteen (18) nineteen (19) and twenty (20) in Block lettered C.

[F. R. Doc. 50-7844; Filed, Sept. 6, 1950;  
8:50 a. m.]

## [Vesting Order 14352, Amdt.]

IRENE RENATE ALICE VON RIBBECK AND  
CARL WILLIAM HOLM HANS HENNING VON  
BOSE

In re: Real property, interests in real property, mortgage, property insurance policy and claims owned by Irene Renate Alice von Ribbeck and Carl William Holm

## NOTICES

Hans Henning von Bose, also known as Hans Henning von Bose.

Vesting Order 14352, dated February 21, 1950, is hereby amended as follows and not otherwise:

A. By deleting from Exhibit B, attached to said Vesting Order 14352 and by reference made a part thereof, the descriptions of Parcels 1, 3, 14, 29, 39, 60, 67 and 70, and substituting therefor, respectively, the following descriptions:

*Parcel 1.* Beginning on the East side of Kirby Lane at the distance of two hundred twenty-two feet Southerly from the Southeast corner of Kirby Lane and Edmondson Avenue and at the center of the partition wall between the house erected on the ground now being described and the house adjoining on the North and running thence South bounding on the East side of Kirby Lane twelve feet to the center of the partition wall between the house erected on the lot now being described and the lot next adjoining on the South, thence Easterly through the center of said partition wall and parallel with Edmondson Avenue sixty feet to the center of a ten foot alley with the use and privilege of said alley, thence North along the center thereof twelve feet and thence West parallel with Edmondson Avenue and through the center of the partition wall first mentioned in this description sixty feet more or less to the place of beginning, commonly known as 529 Kirby Lane.

*Parcel 3.* Beginning for the same on the Northwest side of Wilkens Avenue at the distance of 35 feet 2 $\frac{1}{4}$  inches Northeasterly from the Northeast corner of Payson Street and Wilkens Avenue said beginning being at the center of the partition wall between the brick house standing on the lot now being described and the brick house adjoining to the Southwestward and running thence Northeasterly binding on the Northwest side of Wilkens Avenue 17 feet 10 inches to the center of the partition wall between the brick house standing on the lot now being described and the brick house adjoining to the Northeastward, thence Northwesternly along the center of said last mentioned partition wall and parallel to Payson Street 100 feet to an alley 10 feet wide, thence Southwesterly beginning on the Southeast side of said alley with the use and privilege of the same in common with the other lots beginning thereon and parallel to Wilkens Avenue 17 feet 10 inches and thence South-easterly parallel to Payson Street and along the center of said first mentioned partition wall 100 feet to the beginning, commonly known as 1930 Wilkens Avenue.

*Parcel 14.* Beginning for the same on the Northeast side of Brunswick Street at the distance of 105 feet Southeasterly from the corner formed by the intersection of the Northeast side of Brunswick Street with the Southeast side of Cole Street which place of beginning is intended to be at a point in line with the center of the partition wall between the house erected on the lot of ground now being described and the house erected on the lot of ground next adjoining thereto on the Northwest and running thence Southeasterly binding on the Northeast side of Brunswick Street 15 feet to a point in a line with the center of the partition wall between the house erected on the lot of ground now being described and the house erected on the lot of ground next adjoining thereto on the Southeast, thence Northeasterly parallel with Cole Street to and through the center of said last mentioned partition wall and con-

tinuing the same course in all 100 feet wide the Southwest side of an alley 10 feet wide there laid out, thence Northwesternly parallel with Brunswick Street and binding on the Southwest side of said alley with the use thereof in common with others 15 feet and thence Southwesterly parallel with Cole Street and passing through the center of the partition wall first mentioned in the description of this lot in all 100 feet to place of beginning, formerly known as 627 Brunswick Street, and now commonly known as 927 Brunswick Street.

*Parcel 29.* Beginning for the same on the Northwest side of Frederick Avenue at a point distant 242 feet Northeasterly from the Northeast corner of the intersection of Frederick Avenue and Cathérine Street and running thence Northeasterly binding on Northwest side of Frederick Avenue 13 feet 8 inches, thence Northwesterly along the center line of a partition wall there situate 80 feet to the Southeast side of an alley 10 feet wide, thence Southwesterly binding on the Southeast side of said alley with the use thereof in common 13 feet 8 inches, thence Southeasternly along the center line of the partition wall there situate 80 feet to the place of beginning, commonly known as 2420 Frederick Avenue.

*Parcel 39.* Beginning for the same at the corner formed by the intersection of the Northeast side of Millington Lane with the Southeast side of Marriott Street, thence Northeasterly bounding on the Southeast side of Marriott Street 74 feet 5 $\frac{1}{2}$  inches to the Northwest side of an alley 10 feet wide, thence Southeasterly bounding on said alley 38 feet 1 inch, thence Southwesterly parallel with Ramsay Street 83 feet 8 inches to the Northeast side of Millington Lane and thence Northwesternly bounding thereon 15 feet 10 inches to the place of beginning, commonly known as 423 Millington Lane.

*Parcel 60.* Beginning for the same on the Southeast side of Wilkens Avenue at a point distant 16 feet Southwesterly from the corner formed by the intersection of the Southeast side of Wilkens Avenue and the Southwest side of Smallwood Street and at the corner of the partition wall between the house erected on the lot now being described and the house adjoining thereto on the Northeast and running thence Southwesterly bounding on the Southeast side of Wilkens Avenue 13 feet 6 $\frac{1}{2}$  inches to the center of the partition wall between the house erected on the lot now being described and the house adjoining thereto on the Southwest and running thence Southeasterly bounding on the center of said last mentioned partition wall 90 feet to the Northwest side of an alley 10 feet wide there situate and thence Northeasterly bounding on the Northwest side of said 10 foot alley with the use thereof in common 13 feet 6 and 1 $\frac{1}{2}$  inches to the line of the center of the first partition wall and thence Northwesterly bounding thereon 90 feet to the place of beginning, commonly known as 2203 Wilkens Avenue.

*Parcel 67.* Beginning for the same on the Southeast side of Wilkens Avenue at the distance of 618 feet Northeasterly from the corner formed by the intersection of the Southeast side of Wilkens Avenue and the Northeast side of Brunswick Street which place of beginning is at the center of the partition wall there situate and running thence Northeasterly binding on the Southeast side of Wilkens Avenue 14 feet to the center of another partition wall there situate, thence Southeasterly through the center of said last mentioned partition wall and parallel with Brunswick Street 80 feet to the

Northwest side of an alley 10 feet wide there situate, thence Southwesterly binding on the Northwest side of said alley with the use thereof in common 14 feet and thence Northeasterly to and through the center of said first mentioned partition wall 80 feet to the place of beginning, commonly known as 2619 Wilkens Avenue.

*Parcel 70.* Beginning for the same at the corner formed by the intersection of West side of East Lynne Avenue (formerly East Lynne Street) and the Southeast side of Lehman Street and running thence Southerly binding on West side of East Lynne Avenue 27 feet 4 inches to a point in line with the center of the partition wall between the house erected on the lot of ground now being described and the house erected on the lot of ground next adjoining thereto on the South, thence Westerly to and through the center of said partition wall and continuing the same course in all 72 feet to the East side of an alley 10 feet wide there laid out, thence Northerly parallel with East Lynne Avenue and binding on the East side of same alley with the use thereof in common 6 feet more or less to the Southeast side of Lehman Street, thence Northeasterly and binding on the southeast side of Lehman Street 76 feet more or less to place of beginning, commonly known as 500 East Lynne Avenue.

B. By adding to the description of Parcel 21 in the aforesaid Exhibit B the following:

Also described as follows:

Beginning for the same at a point on the southernmost side of Marriott Street at the northeast corner of a lot leased to Conrad Hamp and situated north fifty-three and three-quarter degrees east about two hundred and fifty-two feet from the corner formed by the intersection of the easternmost side of Millington Mill Road and the southernmost side of Marriott Street and running thence easterly binding on the southernmost side of said Marriott Street north fifty-three and three-quarter degrees east fourteen feet more or less to the center of a partition wall between the house erected on the lot now being described and the house erected on the lot adjoining on the east thence by a straight line through the center of said partition wall and along the partition fence about one hundred feet to the northernmost side of an alley ten feet wide with the use thereof in common with others, thence westerly binding on the northernmost side of said alley about fourteen feet to the southeast corner of the lot leased to Conrad Hamp, thence by a straight line about one hundred feet to the place of beginning.

All other provisions of said Vesting Order 14352 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on August 29, 1950.

For the Attorney General.

[SEAL]

PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F. R. Doc. 50-7845; Filed, Sept. 6, 1950;  
8:50 a. m.]